FAYETTEVILLE OBSERVER.

[VOL. XXVIII.] FAYETTEVILLE, N. C., WEDNESDAY MORNING, JANUARY 1, 1845. [NO. 1439.]

PRINTED, WEEKLY,
BY J. B. NEWBY.
EDWARD J. HALE,
EDITOR AND PROPRIETOR.

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ADVERTISEMENTS inserted for sixty cents per square for the first, and thirty cents for each succeeding publication. Advertisers are requested to state the number of insertions desired, or they will be continued till forbid, and charged accordingly.

☞ *Letters to the Editor must be post paid.* ☜

NEW GOODS.

JUST received, a handsome assortment of Fashionable WORSTED GOODS for Ladies' dresses, such as Paris Cashmere-de-E'Cosse; Cashmere-de-Lains, fashionable style; Muslin-de-Lains, some very fine; an assortment of colors of Paris Cord Gimp; extra fine Cloak Cords and Tassels, for Gentlemen; a few "Fanny Elsslers," and the "Tumble Toys;" Ladies' and Gentlemen's Silk and col'd Kid Gloves.

—ALSO—

A few bbls. prime St. Croix Sugar, for families,
Prime Rio Coffee.
A few M Principe Cigars, prime, for sale cheap.
Call soon and see.

W. G. MATTHEWS,
North East corner Market Square.
Dec. 18, 1844. 38tf

JUST RECEIVED,

30 BBLS. N. O. MOLASSES,
2 casks *Pure* French BRANDY,
1 qr. cask Madeira Wine,
25 boxes Cheese,
10 boxes *Soda* Biscuit. For sale by
SAML W. TILLINGHAST & CO.
Dec. 19, 1844. 38tf

BISHOP IVES'S SERMONS.

"THE APOSTLES' DOCTRINE AND FELLOWSHIP," five Sermons preached in this Diocese last Spring, for sale by
E. J. HALE.

Wanted to purchase or hire,

A SMART, steady man, of good character. Apply at this office.

HAYMOUNT HIGH SCHOOL.

THE next Term in this School will commence on Tuesday the 31st of the present month.
S. COLTON, *Principal.*
Dec. 24, 1844. 38-2w

D. GILCHRIST,

Surgeon Dentist,

RESPECTFULLY informs the citizens of Fayetteville and vicinity, that he is compelled, owing to previous engagements, to be absent a few days. Persons requiring his professional services are informed, that he will return again by the 15th of January next.
Dec. 21, 1844. 38-2w

SALE OF *Valuable Property.*

THE undersigned, as Executor, will expose to public sale, at the Market House in Fayetteville, on the 8th day of January, 1845, that VALUABLE BRICK TENEMENT, on the North side of Hay street, near the foot of Haymount, known as the Town Residence of the late John M Dobbin. A convenient yard and garden in the rear of the same will be sold with the Tenement. Also the interest of the Estate in the adjoining Brick Tenement, at present occupied by Jones & Dunn; and the Warehouses in the rear of those buildings, belonging to the Estate of the late John M. Dobbin.

Bond with good security will be required from purchasers; credit of six, twelve, and eighteen months, with interest after six months.

At the same time will be sold a valuable Servant Woman and two small Children. The Woman is a good Cook.

Terms—credit of six months.

J. C. DOBBIN.
SAM'L W. TILLINGHAST,
Exec'r.
Dec. 22, 1844. 38tf

GOLD AND SILVER MINE DISCOVERED!

FIVE miles South East of Franklinsville, at a place called the Pilot Mountain. Here is the greatest sign for metal we have ever seen We can melt out Silver, Lead, and Iron, out of surface rock, with beautiful stars glittering on surface rock formed of tremolite. Crucibles are found in abundance, and worn out by another race of beings from the present; these crucibles hold from a gill to half a pint, and weigh from 1½ lbs. to 7 lbs. We have found chrystalized Gold and Silver Ore. The owners of these Mines are not able to work them, and call loudly for help. Any person wishing further particulars about these Mines, can obtain them by addressing PHILEtr HORNEY, (post paid,) at Franklinsville, Randolph county, N. C.
Dec. 20, 1844. 38-3m

State of North Carolina,

ROBESON COUNTY.
Court of Pleas and Quarter Sessions, November Term, 1844.

John McDougald and wife Flora, *vs.* Neill B. Brown, Duncan Brown, and others.

[Petition for Partition of Land.]

IT appearing to the satisfaction of the Court, that John Brown, one of the heirs at law of Malcom Brown, deceased, Jennet O'Kelly and Harriet O'Kelly, heirs at law of Jennet O'Kelly, deceased, as a part of the Defendants in this case, reside beyond the limits of this State: It is therefore Ordered, that publication be made for six weeks in the Fayetteville Observer, notifying said Defendants to appear at the next term of this Court, to be held for the County of Robeson, at the Court House in Lumberton, on the fourth Monday of February next, to plead, answer or demur, or this Petition will be taken as confessed by them, and heard ex parte as to them.

Witness, Shadrach Howell, Clerk of our said Court, at Office, the fourth Monday of November, A. D. 1844, and in the 69th year of American Independence.

38] SD'H HOWELL, *Clk C. C.*

Metallic Polishing Powder,

FOR polishing Silver, German Silver, Brass Plate, Britannia Ware, Fine Cutlery, &c. Prepared by G. Wilson & Co., only.

For sale by J. C. Blocker, Harrisonville, and at the Fayetteville Bookstore.
Dec. 22, 1844. 38tf

TO HIRE,

A NEGRO MAN, a good Turpentine hand. Apply at this Office.
Dec. 16, 1844. 37tf

JUST RECEIVED.

A HANDSOME assortment of Hollow Ware, (some very large pots.) ½ doz. elegant Gentlemen's SADDLES, (with quilted Morocco covers.)

—*Also*—

16 Bbls. prime APPLE BRANDY, on consignment, for sale by the barrel, for Cash.

JOHN D. WILLIAMS,
South West corner Market Square.
December 4, 1844. 35-tf

WANTED.—COTTON in the Seed, for which a liberal price will be paid in barter or cash.

JOHN D. WILLIAMS,
South West corner Market Square.
Dec. 4, 1844. 35-tf

WANTED to sell, a second-hand CARRYALL, as good as new. Apply to
JNO. D. WILLIAMS,
South West corner Market Square.
Dec. 4, 1844. 35tf

FOR SALE, 50 bushels Rye, a prime article for Seed.

JNO. D. WILLIAMS,
South West corner Market Square
Dec. 4, 1844. 35tf

Auction and Commission BUSINESS,

No. 6, SOUTH WATER STREET.

THE Subscribers have this day entered into co-partnership, under the Firm of

SANDFORD & SMITH,

For the transaction of AUCTION AND COMMISSION BUSINESS, and solicit a share of patronage.

Particular attention will be given to the receiving and forwarding of Goods to and from the interior, and to the purchase and sale of Produce.

THOMAS SANDFORD.
WILLIAM L. SMITH.
Wilmington, Dec. 13, 1843. 37-6w

NOTICE.

THE LEXINGTON COTTON FACTORY having been consumed by fire in the month of September last, notice is hereby given, that all the Property belonging to the Company, will be offered at Public Sale on Tuesday, the 21st day of January next. The property consists of an excellent Dwelling House and lot, with all the necessary out-buildings. The main Factory building, the walls of which stand almost as perfect as before the fire, with all the houses occupied by the hands, Store houses and Cotton house, &c. a large 30 or 40 horse power Engine, with pumps attached, 15 or 20 Tons of Cast Metal, several Tons of Shafting Iron, a quantity of Steel, an iron slide Lathe and a cutting Engine, (both valuable Machines) with all the other Machines, and parts of machinery, saved from the fire. To any person or company, wishing to engage in manufacturing business of any kind, an opportunity will be afforded, not likely to occur again. Owners of Factories, Foundries, &c. would do well to attend the sale. Terms made known on the day of sale.

ALFRED HARGRAVE. *Pres't.*
Dec. 10, 1844. 37-3w

N. B. Should any person or Company desire the whole of the property for the purpose of re building a Factory of any kind, the Walls, Out-buildings and other conveniences of the Establishment, uninjured by the fire, present many inducements. To such, liberal credits will be given.

A. H. *Pres't.*

Hillsborough Academy.

THE Rev. JOHN WITHERSPOON, D. D. has been appointed Principal of this institution in the place of Mr. John Bingham and Mr. James H. Norwood, who have resigned their situations.

The next session of the school will commence on Monday the 6th of January next. Dr. Witherspoon will devote his whole time to the Academy, aided by competent Assistants.

CAD JONES, Sen. JNO. U. KIRKLAND.
THOS CLANCY, ED. STRUDWICK,
F. NASH, J. W. NORWOOD,
JOHN TAYLOR, W. A. GRAHAM.
CAD. JONES, Jr.,

P. S. The Principal will reside in the town, and will be prepared to accomodate a number of boarders.
December 3, 1844. 37-3w

NOTICE.

WE are requested to announce JOHN J. PHILLIPS as a candidate for Constable in the Fayetteville District, to be voted for by the Voters in the town of Fayetteville, at the Election for Constables February next.
Dec. 14, 1844. 37tE

$10 REWARD.

RANAWAY from the Subscriber, in August last, a Negro Woman named MARY, aged about 21 years, about 5 feet 7 or 8 inches high, has large prominent fore teeth, continually exposed between a pair of thick lips. She is supposed to be either in the neighborhood, or lurking about the plantation of Alex'r Watson in Robeson county. I will give the above reward for her delivery to me, for her confinement in any jail so that I may get her, or for such information as will lead to my apprehending her.

D. McINTYRE.
Stewarteville, Richmond Co., Dec. 14. 37-4w

NEW AND CHEAP GOODS.

JAMES KYLE

HAS JUST RECEIVED, by the last arrivals from the North,

130 PACKAGES
DRY GOODS,
AND 43 PACKAGES
Boots and Shoes,

All of which being purchased by the Package for Cash, since the late decline in prices, will be offered uncommonly low for *Cash*, or on time to punctual customers. Those wishing to purchase by wholesale or retail, will please call and examine, as good bargains may be expected.

☞ New Goods by every arrival.
December 2, 1844. 35tf

Stop the Runaways!

GEORGE W. COX and ALLEN COX borrowed a wagon from a widow woman to go to Fayetteville, but instead of that they went to Cheraw, and are supposed to be making for the neighborhood of Gainesville, Georgia. The wagon is painted blue, with red and yellow flowers, somewhat dim with use. The tongue and hounds new and unpainted. A home-made cover. A reward of $10 will be given for the wagon if stopped where I can get it.

George is red complected, with red whiskers, if not cut off; dark red coarse curly hair; stout built; about 25 years old. Allen is spare built, with dark hair and no beard. Linzy Moore, one of their intimate associates, cut out from here last Saturday morning, and I have no doubt he is with them. He is low, chunky built; keeps his right hand to his jaw and whistles when in trouble.

L. W. LAWHORN.
Carthage, Moore county, N. C., Dec. 4. 36-4w

REMOVAL.

CLARK & McCALLUM,

HAVING removed their TAILORING ESTABLISHMENT from their late Shop to the building formerly occupied by Wm. L. Cofer, nearly opposite to the Lafayette Hotel, on Hay Street, respectfully inform their friends and customers, that they will continue to carry on the **TAILORING BUSINESS** in the most approved and Fashionable manner. They return their thanks for the liberal share of business they have received, and pledge themselves to merit a continuance of it, by strict attention and skill. Latest fashions regularly received from New York.
Dec. 9, 1844. 36tf

TANNERS' OIL.—5 bbls. Train OIL, for sale by
Dec. 10. HALL & HALL. 36tf

WESTERN LARD.—5 bbls. LARD, for sale by
Dec. 10. HALL & HALL. 36tf

NEW ORLEANS MOLASSES. 10 bbls. N. O. MOLASSES, in bbls., for sale by
Dec. 10. HALL & HALL. 36tf

REMOVAL.

HALL & HALL

WOULD inform the public, that they have moved from their old stand to the Store lately occupied by Messrs. C. J. & R. M. Orrell, and known as the Yellow Buildings. Having largely increased their stock of

GROCERIES

They are prepared to offer inducements in the way of trade that will be to the interest of purchasers generally to give them a call. Their stock will consist in part of—

10 TONS SWEDES & ENGLISH IRON,
500 lbs. Cast, Blister and German Steel,
500 pieces Hollow Ware,
500 lbs. Bar Lead,
40 bags Shot, assorted,
15 kegs Powder,
300 lbs. Epsom Salts,
300 lbs. Alum,
100 lbs. Borax,
1500 lbs. Copperas,
150 lbs. Indigo,
1 Cask Saleratus,
50 sides sole Leather,
75 Bags Rio Coffee,
10 Hhds. Porto Rico Sugar,
1000 lbs. single and double refined and Coffee crushed sugar,
300 sacks Liverpool Salt,
500 bushels Alum ditto.

—ALSO—

Wagon Boxes, Bellows, Vises, Anvils, Cotton Cards, Curry Combs, Pocket Cutlery, Patent Medicines, Hadlock's Syrup and Powders, Cassia, Camphor, Castor Oil, Paints, Putty, Drugs, &c. &c.
Oct. 29, 1844. 30-tf

Caldwell Academy.

THE Spring Session of this School will commence the 1st Monday in January, 1845, under the superintendence of Mr. J. D. CLANCY, whose services have been secured for the ensuing year. It is located in the midst of a healthy, plentiful and moral neighborhood, (Reaves' Chapel, Chatham county,) and qualified to impart a thorough English and Classical education, this Institution, it is believed, has claims upon the patrons of learning that will not be overlooked. No Student will be admitted for a less time than one quarter of 12 weeks. Board in the best families from 4½ to 6 dollars per month,—washing, fuel and lights included.

Tuition for Session of 24 weeks, payable one-half quarterly, as follows:

Elementary English branches,	$5 00
English Grammar and Geography,	8 00
Mathematics and Natural Philosophy, both or either,	10 00
Ancient Languages,	12 50

By order,
GEO. W. GOLDSTON, *Sec'y.*
Dec. 6, 1844. 36-tIJ

Twenty-six Valuable NEGROES

To be Sold to the Highest Bidder.

PURSUANT to an Order made by the Supreme Court of North Carolina, in the case of John C. Atkins, Executor of Henry Delamothe, *vs.* F. J. Kron and wife, and others, I will proceed to sell to the highest bidder, on the Public Square in the town of Lawrenceville, on Wednesday the 8th day of January next, (it being Wednesday of County Court,)

26 Valuable Negroes,

Of the Estate of the said Henry Delamothe, consisting of Men and Boys, and Women and Girls. A more likely and valuable parcel of Negroes is not to be found.

Terms of Sale—Six months credit; bonds with approved security, bearing interest from date.

☞ Persons having hired the above Negroes for the present year, are requested to deliver them to me on or before the day of Sale.

JAS. L. GAINES, *Commissioner.*
Dec. 2, 1844. 36ts

Valuable Residence

In the town of Greensborough,
FOR SALE.

FEELING anxious to move my residence to another part of North Carolina, I offer for sale my very valuable HOUSE AND LOT in Greensborough. The location is a delightful one, I may say without hesitation the most desirable one in this portion of the country. The lot is high and rolling, and the buildings all of the best style and the most convenient form. The Dwelling House is a large two story building, in the shape of an L, with two passages running through each way; the rooms are large, comfortable and convenient, with here and there indispensable closets—the whole house finished in the best manner by the best workmen in the country.—The out buildings are all large and convenient. There are two wells on the premises of good water—to one of which is attached a milch house and a bathing room. The garden is large and of the best gardening soil, divided into flower, vegetable and fruit garden, attached to which is a small parcel of ground well set in choice apple, pear, and peach trees. The Stable lot is of good size, with an excellent barn, carriage house and crib on it. All these buildings are new and in excellent condition. I will sell low and upon the best terms to the purchaser. Immediate application should be made, or you will miss the opportunity of purchasing where you will have so many advantages for educating your children in the best male and female schools in the whole country, besides a most delightful residence in a very, if not the most, pleasant part of the Old North State.

I offer also my VALUABLE MERCHANT

Mills and Plantation

On Polecat Creek, 10 miles South of town, immediately on the road leading to Ashcborough, in Randolph county.

R. G. LINDSAY.
Greensborough, Nov. 1844. 36-2m

DAVID SHAW

HAS just received a Fresh Supply of those Goods usually kept in his line, among which are—

New crop Bunch Raisins, in whole, half and quarter boxes,
A beautiful lot of fancy Prunes, in various sized boxes,
New crop Citron,
Palm Nuts and Filberts,
Mace and Cloves,
Cassia and Nutmegs,
Pepper and Alspice,
Spanish Cigars,
Maccoboy and Scotch Snuff,
Hair Powder,
Essence Lemon and Peppermint,
And a general assortment of Cordials, Wines and Spirits.
Also, a large lot of superior TOYS.

N. B. CANDIES of a superior quality, (manufactured by himself,) are kept constantly on hand, and made fresh to order at prices to suit the times, viz: Retail price, 30 cents per lb.; wholesale, 25.

D. S.
Fayetteville, Nov. 28, 1844. 35tf

NEW CHEESE.

34 BOXES NEW CHEESE, in prime order, For sale by
JNO. H. & J. MARTINE,
Hay Street, above the Post Office.
October 1, 1844. 26tf

Also Receiving,

Their Fall Supplies of Groceries, Hardware, Cutlery, Paints, Oils, Glass, &c. &c.

SALE OF LAND.

I WILL sell at Public Auction, on the premises, on Monday the 6th January next, by a decree of the Court of Equity for Cumberland County, the following pieces or parcels of LAND, viz:

One tract or parcel, the late residence of Mrs. Mary Carver, deceased, joining Mrs. Mary Jackson, and supposed to contain one hundred and fifty acres.

One other piece, joining the same aforesaid on the South, between one hundred and one hundred and sixty acres.

One other piece, containing forty-five acres, and joins the above and Jonathan Evans's land.

A credit of twelve months will be given, the purchaser giving bond with approved security, with interest from date.

ALEX'R J. BYRNE, *Com'r.*
Nov. 26, 1844. 35tf

NOTICE.

THE Subscribers having, at the December Term 1844, of the Court of Pleas and Quarter Sessions for the County of Cumberland, qualified as Executors to the last Will and Testament of Mary M. Blake, deceased, hereby notify all those having claims against the Estate, to present them within the time prescribed by law, or this notice will be pleaded in bar of a recovery; and all those indebted to the Estate must make immediate payment.

JOHN OWEN,
A. W. STEEL,
Executors of Mary Blake.
December 3, 1844. 36-6w

State of North Carolina,

ANSON COUNTY.
Court of Pleas and Quarter Sessions, October Term, 1844.

Henry May *vs.* Griffin Gatewood, Jr.

Attachment levied on the Defendant's interest as [illegible] with his brothers and sisters on the lands devised to them on Lane's Creek, and a negro woman Malinda, and her two children, bequeathed in the last Will and Testament of their grandfather, Griffin Gatewood, Sen.

IT appearing to the satisfaction of the Court, that Griffin Gatewood, Jr., the Defendant in this case, is not an inhabitant of this State: It is Ordered by the Court, that publication be made in the Fayetteville Observer, for six weeks, notifying him to appear at the next term of this Court, to be held for the County of Anson, at the Court House in Wadesborough, on the 2d Monday in January next, then and there to replevy and plead to issue, or judgment final will be entered up against him, and the land condemned.

Witness, Norfleet D. Boggan, Clerk of our said Court, at Office, the 2d Monday in October, A. D. 1844, and in the 69th year of American Independence.

[31] N. D. BOGGAN, *C. C. C.*

State of North Carolina,

MOORE COUNTY.
In Equity—Fall Term, 1844.

Thomas Brown and others *vs.* William Brown and others.

IT appearing to the satisfaction of the Court, that the Defendants, William Graham and Nancy his wife, are not inhabitants of this State: It is Ordered by the Court, that publication be made for six weeks in the Fayetteville Observer, notifying them to appear at the next Term of this Court, then and there to plead, answer, or demur to the allegations contained in the Plaintiff's Bill, otherwise the same will be taken pro confesso as to them, and heard ex parte.

It is also Ordered by the Court, that the Clerk and Master be appointed Guardian, pendente lite, for Defendants, Tempe, Dolly, and Isaac Brown, who are minors.

Witness, S. C. Bruce, Clerk and Master of said Court, at Carthage, in Moore County, the Monday before the last Monday in August, A. D. 1844.

S. C. BRUCE, *C. M. E.*
Issued the 19th Nov., 1844. 34-6w

COMSTOCK'S MEDICINES.

COMSTOCK & CO., Wholesale and Retail Druggists, No. 21, Cortlandt Street, near Broadway, New York, keep constantly on hand a large and general assortment of

DRUGS & MEDICINES, Chemicals, Dye Stuffs, Patent Medicines, Glass-Ware, Sweet Oil, &c.,

At the lowest prices for cash or approved paper. Country merchants are requested to call on them.

They have placed a few articles on sale at the Fayetteville Book Store, viz:—

OLDRIDGE'S BALM OF COLUMBIA,—A Strengthener, Preserver and Restorer of the Hair, a cleanser of the head from dandruff and scurf, producing a beautiful gloss and curl, and preventing premature grayness.

DR. LIN'S BALM OF CHINA,—For the cure of all diseases that require external application. Price $1.

DALLY'S MAGICAL PAIN EXTRACTOR,—A Salve for the cure of Burns, Inflammations, Bruises, Sores, Mortifications, Chilblains, Tetter, Piles, &c. &c. Price 50 cents.

INDIAN VEGETABLE ELIXIR,—A sure and safe remedy for Rheumatism, acute and chronic, Gout, and all the chronic pains of bones, joints and muscles, arising from a too free use of Mercury or other causes. Price $1.

HEWES' LINIMENT, A certain cure for the Inflammatory, Sciatic and Chronic Rheumatism. Price 50 cents.

DR. SPOHN'S HEADACHE REMEDY,—For Sick Headache, and Disordered Stomach. Price 50 cents.

Pamphlets containing Certificates of effects of the above Medicines, may be had at the Book Store.
January 18, 1843. 38-tf

N. CAROLINA LEGISLATURE.

REPORT OF THE JOINT SELECT COMMITTEE.

The Committee to which was referred the certificate presented by the Senator from Onslow, on Monday, the 18th of November, as well as the certificate by him subsequently presented, respectfully report:

That Wm. Ennett, Esq., the Senator from Onslow, at the meeting of the Senate on the third Monday of November last, produced to the Clerk of the Senate, a certificate purporting to be from John A. Averett, Sheriff of Onslow, and stating the election of the said Wm. Ennett as the member of the Senate from the said County; that upon this certificate, recognised as the credentials of his election, the said Wm. Ennett, was admited to his seat, was qualified, and acted as a member of the Senate; that it now appears beyond doubt, as well by the admissions of the said Wm. Ennett in the written statement read by him to the Senate, on asking for a committee of investigation, as by the evidence taken by the committee of investigation and now reported to the House, that the said certificate was a forgery.

Your committee conceive it to be a clear and well established rule, that where an instrument has been forged by some one, a strong presumption necessarily arises against the party in whose favor the forgery is made, or who has the possession of it, and seeks to derive benefit from it. This rule of evidence adopted by the courts of law, upon trials involving the personal character of a citizen and exposing him to severe corporal punishment, is applicable to every case wherein a similar question arises; because it is dictated by the necessity of the case, required for the public security; and, with a very sufficient degree of certainty, points to the real offender. It must be manifest, upon the least consideration, that if a man produces, and uses for his own benefit, a forged instrument, and gives no satisfactory account either of the manner in which he became possessed of the instrument or of the perpetrator of the offence, he ought to be held himself to have forged or aided in the forgery. To require direct proof of his guilt, would from the very nature of the fact to be proved, be to proclaim entire impunity to such offenders; and hence, it has been established as a wise rule of presumption, that he is to be taken as the offender who produces and uses the forged paper, and offers no explanation of that fact consistent with his innocence.

The committee, therefore, aware of the existence and entirely approving the justice of this rule of evidence, felt that it was the duty of the Senator from Onslow to offer some proof to remove from himself the presumption of guilt arising from the facts above stated; and that they might justly consider that exculpation as altogether a matter for him to seek for and establish, the more especially as the committee was raised and the investigation made at his own instance. But yet, under the resolution referred to them, anxious to ascertain for themselves and the Senate the truth of the case, and indulging the hope that, upon inquiry, the suspicion resting upon a member of their body might be repelled, and guilt attached to some one who was not the representative of a respectable county in the Senate, applied themselves with diligence to the task of searching for that evidence of exculpation, which, in strictness, it was the duty of Mr. Ennett himself to produce. The Committee regret to say that, after examining every witness from whom they thought it possible information might be obtained, and one witness produced by Mr. Ennett, no such exculpation has been found.

Your Committee then considered the account given by Mr. Ennett of the manner in which he obtained possession of the forged certificate. In the written statement, read by him and already referred to, he says, in substance, that he came here at the commencement of the session without a certificate, because of the absence of the Sheriff; that he was advised that no certificate was necessary, because his election was notorious, and because many members had taken their seats under such circumstances; that the fact of his having no certificate was made known to several gentlemen of both political parties; that on the Sunday before the meeting of the Senate, after dark, a letter was handed him at his lodgings—the bearer said he was in a hurry and did not come in; that he (Mr. Ennett) did not know him; and that, on opening the letter, he found within it the forged certificate.

Were this statement itself probable, did it present a case of likely occurrence, reasonably excluding the impression of unfairness on the part of Mr. Ennett, the committee would have felt disposed, from respect for the Senate and for the people of the County whom Mr. E. represents, to yield their confidence to it, though resting on the unproved allegation of the person making it. But this, in the judgment of the committee, is not at all the character of the statement.—It is, in the first place, by no means likely that any one would have conveyed such a paper to a member of the Senate, in such a manner, at such a hour, and by such a messenger, unless it had been previously arranged with that member, or expected by him that it should be so received. In the next place, if Mr. Ennett had received this paper under such suspicious circumstances, and had been himself entirely innocent of any participation in the guilty transaction, what would have been his conduct? Would he not, as a fair man, before using the certificate as genuine, have instituted some enquiry concerning it? Would he not have endeavored to trace the person who brought it, and ascertain the person who sent it?—Would he not have endeavored to satisfy himself whether this paper, having so suspicious an appearance, was in reality a genuine certificate of election? Would he not have enquired of his colleague in the House as to the hand-writing, or of some of the Gentlemen of the Bar in that House, who, from their residence and intercourse with the Courts of Onslow, might be likely to know the hand-writing of the Sheriff? In fine, would he, without any enquiry or explanation respecting a document transmitted in a manner so dark and suspicious, have appeared in the Senate—have produced the same without explanation—offered it to the Clerk of the House as a genuine certificate—and quietly take his seat under its authority? The Committee cannot answer any of these questions in a manner calculated to exonerate Mr. Ennett or to reconcile his actual conduct with fairness of purpose or innocence. He must have suspected the paper; he must have felt that enquiry was due to truth, to himself and to the Senate; and had he been altogether ignorant of the source from which the paper came, had he been what he represents himself to have been, he would certainly have made the enquiry, or, at least, when presenting the paper to the Senate, would openly have stated the manner in which he became possessed of it.

But even if any explanation could be given of his conduct in these respects, one other circumstance does, in the judgment of the committee, discredit his whole statement. Mr. Jackson was Mr. Ennett's room-mate. Early in the evening of Sunday, Mr. E. had communicated to that gentleman that he was without a certificate. Mr. Jackson left him to go to church—returned about 9 o'clock—found Mr. E. sitting by the fire—had conversation with him before retiring to bed, in which Mr. E. never said one word of the sudden and unexpected arrival of the wanting certificate. (See Mr. Jackson's evidence accompanying this report.) Now, if Mr. Ennett's statement were true—if he had so strangely received his certificate—if he was ignorant of the hand that prepared, and the messenger that brought it—if he was not aware that such a paper was so opportunely to make its appearance—if, in that, it was to him, as he would by his statement seem to imply, an event totally unlooked for—it is, in the highest degree, improbable, it is morally impossible, that he should not mention this fact to his room-mate, on his return from church, to whom he had before made known that he was without this paper, which, in such convenient time and in such an unusual manner, had made its appearance!

Your Committee, therefore, so far from finding a reasonable and probable account of this matter given by the Senator from Onslow, an account consistent with his innocence and tending to rebut the presumption against him, are compelled to look upon his account of the transaction in the highest degree improbable, and as yielding force to the otherwise strong presumption of guilt.

The majority of the Committee have, upon a full and impartial consideration of the whole case, become satisfied that Mr. Ennett was probably concerned in fabricating or causing the certificate to be fabricated; and if this probability should not be fact, yet that he certainly was aware that the certificate was not genuine, or at any rate was liable to strong suspicion, and that, by presenting it to the Senate without remark or explanation, he assumed to guarantee its genuineness, its freedom from suspicion; and that in so doing, he intended to practice and did practice a fraud upon the Senate. And, upon the whole, the majority of the Committee are satisfied that Mr. Ennett's conduct has been so highly disingenuous, unworthy and discreditable, that the Senate owe to themselves, to the country, and to a just example, to pronounce against him sentence of expulsion from this body.

The Committee therefore recommend the adoption of the resolutions accompanying this report.

All of which is respectfully submitted.

M. FRANCIS, *Chairman.*

Resolved, That the certificate of the Senator from Onslow, and by him introduced to the Senate as genuine, the first day of the session, is a forgery.

Resolved further, That inasmuch as no evidence has been offered before the Committee to implicate any other person in the transaction, that the Senator himself has either been guilty of the forgery, or procured it to be done, or was at least aware that it was not genuine; and, therefore, practised a fraud upon the Senate and ought to be expelled.

Resolved, That for the reasons aforesaid, the Senator from Onslow be and he is hereby expelled from the Senate, and his seat therein vacated.

MR. ENNETT'S STATEMENT.

In Senate, November 29, 1844.

MR. SPEAKER: I feel it my duty to bring to the attention of the Senate a circumstance not only affecting my rights as a member of this honorable body, but as an individual. The fact is well known that when I left home, from the absence of our Sheriff, I did not procure his certificate of my election; indeed, I was advised that no certificate was absolutely necessary, since the fact of my election was notorious; and in many cases, in both houses, members under such circumstances had taken and held their seats the whole session. That I had nothing to conceal in the matter is evident to this honorable body. The fact was communicated to several gentlemen of both political parties. On the Sunday previous to the meeting of the Legislature, after dark, a letter was handed to me at my lodgings. The person said he was in a hurry and did not come in, nor did I know him. On opening the letter I found it only contained my certificate, signed John A. Averett. This was presented by me to the Senate. Since that time I have received a letter from the Sheriff, enclosing my certificate. From this fact, and on comparison with the former one, I have reason to believe that I have been imposed upon; and by presenting the certificate to the Senate I sincerely thought that I was acting upon an authentic document. From remarks of a press in this city and elsewhere, the circumstance has been alluded to much to my prejudice; and I now rise, sir, with the letter of the Sheriff and my certificate sent by him, which I present to the Senate, and I request that it may be referred to a select committee to investigate the facts. If any fraud has been done, I am incapable of conniving at it; and as I have acted in good faith in this matter, I hope that the Senate will adopt this resolution.

Mr. Edward W. Sanders, on his examination, states that he saw Mr. Ennett the first time on Monday morning, the day of the commencement of the session of the Legislature. Mr. Ennett asked Mr. Sanders if he brought him his certificate from the Sheriff of Onslow. Mr. Sanders replied that he had not brought his certificate. Mr. Ennett then stated that he had no certificate. Mr. Sanders replied, that made no difference. Nothing more passed between them.

General Marsteller told Mr. Sanders on Monday that he, as a member, must give Mr. Ennett a certificate. Mr. Sanders bowed, and thereupon some one in the company remarked that Mr. Ennett had his certificate. I think the person making the remark was Mr. J. Nixon, of New Hanover.

Mr. Sanders states, that upon examining the certificate, first presented by the Senator of Onslow, that he does not know who wrote the body of the certificate, nor does he know in whose hand writing the signature is. Mr. Sanders states that he knows of no person whose handwriting resembles the body of the certificate. Nor has he any knowledge or idea who wrote the certificate—states that he knows nothing at all about it. EDWARD W. SANDERS.

MR. JACKSON EXAMINED.

Do you know the hand-writing of the certificate? and state all you know on the subject.

Answer. I know nothing of the subject; nor do I know the hand-writing. Do not know of his having Mr. Sanders' certificate on Sunday or Monday previous to the meeting of the Legislature. I heard on Monday, for the first time, that he had the certificate, about 10 o'clock in the morning. On Sunday evening returned from church about nine o'clock. I room with Mr. Ennett, who was sitting by the fire when I returned; heard him say nothing about it that evening, nor until 10 o'clock next day; he did not then state how or when he got it. I had a conversation with Mr. Ennett next morning before 10 o'clock, but not on that subject. When Mr. Ennett told me he had no certificate, I told him as his colleague knew of his election, I presumed there would be no difficulty in his taking his seat. I never heard him say any thing of the certificate after I returned on Sunday evening from church. I left Mr. Ennett's room about 6 o'clock on Sunday evening, and returned about nine, as I believe.

JESSE JACKSON.

MR. NIXON EXAMINED.

When did witness first learn that Mr. Ennett had got a certificate?

Witness states he heard it first on Monday in the forenoon of the day, as he believes, the session commenced, from Mr. Ennett, who stated he had got his certificate since he arrived here. The members were then on their way to the House.

Does witness know any thing of the certificate first presented by Mr. Ennett, or of the hand-writing of said certificate?

Answer. Witness says he does not know who is the writer of said certificate, nor does he believe the signature to be that of the sheriff of Onslow, though he thinks the body somewhat resembles the writing of Mr. Averett; and the signature, though it only slightly resembles Mr. Averett's hand-writing, still witness thought it was such as Mr. Averett might have written on his knee for want of the proper convenience for writing.

Did witness hear any person say whose hand-writing the certificate was?

Witness answers he did not; and if he had, he should have felt it his duty, as a member of the General Assembly, to have informed the committee immediately on hearing it, knowing that said committee were in session for the investigation of the matter. Witness objected to the above question, as believing it cast an imputation upon him, as he considered it his duty to communicate such information immediately, if he had heard any such thing.

JERE. NIXON.

MR. ETHERIDGE EXAMINED.

Please state if you know any thing of the hand-writing of the forged certificate.

Answer. I do not know the hand-writing either of the body or signature of said certificate. I do not believe it is in imitation of Mr. Ennett's hand-writing, nor do I know whose it is; but believe the signature, or part thereof, is in imitation of Mr. Averett's hand-writing. Do not know any thing of materiality to aid the committee—have been acquainted with Mr. Ennett a long time, and never heard his character impeached. JASPER ETHERIDGE.

[Besides the above, Messrs. Perrin Busbee, Thos

J. Pasteur, D. K. MacRae, W. W. Holden, and Mr. Calloway were examined, but testified that they knew nothing about the matter.]

SENATE.—*Friday, Dec.* 20.

Mr. Woodfin introduced a Bill to provide for holding a session of the Supreme Court once a year in the Western part of the State—referred to the Committee on the Judiciary.

A message was received from the House, transmitting the Resolution in relation to the deficiency of the Public Treasurer. The Chair entertaining the opinion that it was a public Resolution, thereby requiring three readings, announced the passage of its first reading.

The Senate agreed to a proposition of the House to raise a Joint Select Committee to whom shall be referred a memorial from Benj. Swaim, Esq., in which he proposes to furnish a copy of "Swaim's Justice" to every Justice of the Peace in the State, for $2 per copy.

The bill to change the location of the Court House of Lincoln was passed, 26 to 22.

The bill to amend the Revised Statutes concerning Clerks and Registers was passed, 26 to 21.

Mr. Waddell from the Committee on the Judiciary, reported a Bill concerning Deeds, Mortgages and Assignments in Trust.

At 12 o'clock the Speaker announced the order of the day, viz: the resolutions respecting the forged certificate of Wm. Ennett, the Senator from Onslow.

Mr. Ennett's Counsel, Louis D. Henry and Duncan K. Mac Rae, Esqrs. appeared, and were invited to seats within the bar.

[On the day preceding, the Counsel read the following affidavit:

"The Senator from Onslow, Wm. Ennett, swears that he expects to prove by Mr. Marsteller that he had informed him, Mr. Ennett, on the Sunday next before the meeting of the Legislature, in the day time, that it was his opinion that the Senator from Onslow could take his seat in the Senate, without the Sheriff's Certificate, by making other proof of his title to his seat; and, also, that he expects to prove by the Sheriff, John A. Averett, that he had promised him, Mr. Ennett, to make out his Certificate of election and send it to him before the organization of the Senate, also, that Mr. Marable of Onslow had promised to procure said Certificate from the Sheriff aforesaid, and send it to him in time before the sitting of the Legislature; and, also, by Mrs Bradley, that Mr. Ennett sent to her father's house (Averett's) for the Certificate, and the answer brought by the messenger was, that her father was from home, but would attend to it in time.

[Signed] WM. ENNETT."

The above affidavit was, on motion of Mr. Edwards, received and admitted as testimony, on the hearing of Mr. Ennett's case.]

The following Witnesses for the defence were called and sworn by the Speaker, viz: Jeremiah Nixon, of New Hanover, William H. Washington and F. J. Prentiss, of Craven, Thos. D. Meares, of Wilmington, Thomas G. Stone, Principal Clerk of the Senate, and Robert Melvin, the Senator from Bladen District. We deem it unnecessary to detail the examination and cross-examination of the Witnesses. Messrs. Nixon, Washington, Prentiss and Meares were examined in reference to the general character of Mr. Ennett at home, and they concurred in representing him, so far as their knowledge extended, as a harmless, sober, weak, and rather inoffensive man, of domestic habits, and neighborly conduct. Mr. Washington was also shewn the Certificate, with the signature of Mr. Sheriff Averitt, under which Mr. Ennett took his seat, and he unhesitatingly pronounced it a forgery. He was also shewn another Certificate, since received by Mr. Ennett, which he was equally confident was in the hand-writing of the Sheriff.

Mr. Stone deposed, that the day after Mr. Ennett took his seat, in the morning before the Senate met, he came to his room, and asked to see the Certificate which he had presented, and on its being shown to him he remarked, that he could not tell certainly whether the Certificate was genuine or not, but thought it was Mr. Averitt's hand-writing. That he (Mr. E.) went to the Post Office on Sunday evening, expecting to receive a letter containing his Certificate, but did not get it—that about 8 o'clock, on that night, some one came to his room, knocked at the door, and handed him a letter, which he supposed, at the moment, was a Card from some applicant for office; but, on opening it, discovered it to be his Certificate. In answer to a question, Mr. Stone stated that his endorsement which appeared upon the Certificate was put there by himself; there were other initials, but he did not know by whom placed on the Certificate. [Several Senators here stated that the initials were their's, and placed on the Certificate by them to identify it.] Mr. Stone further stated that the Certificate shewn him (the forged one) was the identical one handed in by Mr. Ennett, when he took his seat.

Mr. Melvin deposed, that he met Mr. Ennett on Monday morning, between 9 and 10 o'clock, and was informed by him that he had received a Certificate the night before. He also informed witness, that he had applied to Sheriff at the Court House for a Certificate, before he left home, but Sheriff was too unwell and busy to give him one—wanted Ennett to stay all night to enable him to furnish it, but Ennett could not. Ennett told witness, that he afterwards sent to Sheriff's house for his Certificate and Sheriff was not at home.

Mr. Henry here read the affidavit of *Mr. Jackson*, published in this paper, and a letter from Sheriff Averitt, dated Richlands, Nov. 14, 1844, addressed to *Mr. Ennett* and covering the genuine Certificate.—Also, a letter from a *Mr. Marable*.

The Senate then took a recess until 3½ o'clock.

EVENING SESSION.

Mr. Sanders, the Commoner from Onslow was sworn. When before the Committee, he had stated that he saw *Mr. Ennett* for the first time on Monday morning, but since his memory has been refreshed, he believed he saw him on Sunday evening, but cannot yet tell with absolute certainty whether it was Monday morning or Sunday evening. Witness arrived here Sunday afternoon, took his own Certificate from his trunk with other papers, and laid them upon the table—does not know whether it was in the possession of any one else, until he took it again Monday morning to use, or whether he, himself, saw it in the meantime. On being cross-examined, witness stated that he saw Ennett at *Messrs Pullam*, in the Parlour, conversed with him for about half a minute, no candles lighted, but could not recollect whether it was on Sunday evening or Monday morning. Never saw the forged Certificate, until shown to him by the Committee. On being asked what reason he assigned to the Committee for not writing out his statement made to them, said he stated he was too nervous to write, but it was read to him, and admits that it contains what he then said.

Louis D. Wilson, the Senator from Edgecombe, and a member of the Committee, testified that when *Mr. Sanders* appeared before the Committee, he expressed himself as in doubt when it was he first saw *Mr. Ennett*, in this City.

Mr. Henry here read *Mr. Marsteller's* affidavit, in which he deposes that he told *Ennett* on Sunday, that he could take his seat without a Certificate.—Also, an Affidavit of *John A. Averitt*, Sheriff, deposing that he had promised to send *Ennett* his Certificate. Also, the affidavit of his daughter, *Mrs. Bradley*, that *Mr. Ennett* had sent to her father's house for his Certificate.

This closed the testimony for the defence.

The Speaker (*Col. Gaither*) said, he felt it due to himself to state to the Senate the reason which induced him to place the initials of his name on the Certificate. He did not know at the time, that it was a forged Certificate, but having been requested by several persons to place some mark on it by which it could be identified, he had written his initials thereon.

The Counsel for the defence having been invited by the Chair to proceed with their arguments,

Mr. Henry rose and said, that he presumed the usual course would be adopted, of giving the Counsel for Mr. Ennett the privilege of reply. His Counsel expected this privilege, but thought it best to have the matter understood. The Committee of the Senate had tendered an affirmative issue, and where this was done, the right of reply was uniformly conceded.

Mr. Waddell.—I am certain, no one more desires to accord to the Senator from Onslow all the privileges to which he is entitled, than myself, but there is no analogy between this case and an ordinary prosecution or even a case of impeachment. In cases of the latter kind, before the House of Lords, where Counsel appear for the accused, they always retire after submitting their argument. And it is manifestly right that they should do so. Much more proper is it in the case under consideration. The members of the Senate do not sit here as Prosecutors, but as Judges. The Senator from Onslow himself moves to raise a Committee to make a particular inquiry. It is made, and the Committee report a Resolution of expulsion against the Senator. He then asks to be heard through Counsel, on the merits of the question, and with laudable liberality the Senate grants the request. We are not his accusers, but Judges in his case—we hear the arguments of his Counsel, who, having discharged this particular duty, are *functus officio*—and the Judges then proceed to consult and make up their opinion. It would be, indeed, a novelty in jurisprudence, for Judges to reply to the arguments of Counsel. If then, this were a cause of impeachment, there is no precedent for the course asked by the Counsel. It is not a question, however, of Impeachment, but simply one of privilege, and in the absence of all precedent, there certainly can be no propriety in granting to the Counsel in this case, permission to reply.

[Mr. W. here quoted from Jefferson's Manual to shew the Parliamentary usage in cases of Impeachment.]

Mr. Henry.—I have listened to the Senator from Orange with pleasure, but am not convinced. I must still insist on our right to reply, and still maintain that there is a striking analogy between the present and ordinary cases of prosecution. The Senate is the grand inquest of the State, and we must proceed by some—

Mr. Shepard—I must rise, Mr. Speaker, to a question of order. I deny the right of the Counsel at the bar, to debate collateral questions of this kind. I admit that Mr. Ennett has a right to say through his Counsel, why the Resolutions should not pass, and with the exception of this, and the examination of witnesses, in which they have been indulged to a remarkable latitude, they have no other right. If this reply and rejoinder be tolerated, the discussion will be interminable. I am not, Sir, the accuser of Mr. Ennett, but one of the Judges in his case, and I will not suffer myself to be placed in the attitude of an accuser. As to my vote on this Resolution, my opinion is not yet made up. I wish to hear what his Counsel have to say, why this Resolution shall not pass, before I form that opinion. The State has been very generous in extending to the Senator from Onslow the courtesy of being heard through Counsel, and I hope, Sir, they will proceed to his defence.

The Chair—The question before the Senate is—"Shall the Resolution under consideration pass?"—On that question, the Senator from Onslow will be heard through Counsel but no collateral question will be entertained.

Mr. Henry—With permission of the Senate, I should like to state the reasons why I think the Counsel in this case is entitled to reply.

The Chair—The question is on the passage of the Resolution before the Senate. Are the Counsel for the defence ready to proceed?

Mr. Waddell—I rise, Sir, to relieve myself from any imputation of discourtesy—

The Chair—The Senator from Orange is not in order. The Counsel for the Senator from Onslow are entitled to the floor, and will please proceed.

Mr. MacRae, on the part of the defence, now took the floor, and spoke from 4½ to 6 o'clock. We cannot, of course, attempt to report a Speech, the main body of which was devoted to an examination and review of the evidence. He commenced, by alluding to the embarrassing position which he occupied as Counsel, and the painful situation in which his client was placed. "The Senate of North Carolina," said he "is *pure*, but when I witness the full spirit of Party effecting its entrance even into this Holy of Holies—when I see it breaking the bonds of friendly intercourse, and interfering with all the social relations of life, I cannot disguise my fear, that Senators, however pure, however determined to do right, may have their judgments warped, and their opinions insensibly biassed." After professing his belief in the most solemn manner, of the innocence of Mr. Ennett he went at some length into an argument to attempt to show that he had no motive to commit the forgery, and in the absence of motive, that it was absurd to charge him with it. He contended that Ennett's whole conduct throughout, was such as to establish his innocence, and pointed out several incidents of it in illustration. He reviewed at length, and with somewhat of causticity, the Report of the Committee, during which he was called to order by the Chair. He closed at 6 o'clock, as he began, by adjuring the Senate to lay aside party feeling, and protesting his great confidence in the innocence of the accused.

When he finished, out of courtesy to Mr. Henry, the Senate adjourned until to-morrow morning 10 o'clock.

HOUSE OF COMMONS.

Mr. Shepard introduced a Bill concerning Sheriffs and Constables—referred to the Committee on the Judiciary.

Mr. Nixon introduced a Bill for a canal from Cape Fear to Lumber River—referred to the Committee on Internal Improvements.

Mr. Moore from the Judiciary Committee, reported with an amendment the Bill for the relief and benefit of Orphans. The amendment was concurred in and the Bill as amended, passed its second reading.

Mr. Lord from the Committee on Propositions and Grievances reported unfavorably to the following Petitions, in which the House concurred.

To locate a new County by the name of Lafayette, out of a portion of Rutherford.

To erect a new County out of portions of Halifax, Warren and Northampton.

Mr. Washington introduced a bill concerning passengers in vessels coming to the Ports of this State—referred to the Judiciary Committee.

The House now proceeded to the orders of the day, and took up the Bill to locate the residence of the Judges of the Superior Courts hereafter to be elected.

The passage of the Bill was advocated by Messrs. Cherry and D. A. Barnes. And opposed by Messrs. Poindexter, Littlejohn and Lord. And after some time spent in the debate, Mr. Guthrie moved to strike out the enacting clause of the Bill. Rejected. Yeas 54, Nays 55. The House then adjourned.

SENATE.—*Saturday, Dec.* 21.

Mr. Francis introduced a bill prescribing the manner of appointing Engrossing Clerks. Referred to the Judiciary Committee. (This bill reduces the number to two, who are to be appointed by the Principal Clerk of the two Houses.)

Mr. Hellen introduced a bill to amend the 5th Section of the Act concerning the power and jurisdiction of Justices of the Peace.

Mr. Woodfin introduced a bill to invest $1500 of the Literary Fund, by taking 60 shares of stock in the Boarding House of the Female Institute in Buncombe county.

Th. Engrossed Bill to establish a Public Road in the county of Buncombe, was read the second time and rejected—Ayes 21, Noes 25.

[This bill asked for an appropriation of $1000 of the first money arising from the State's Stock in the Buncombe Turnpike Company. Messrs. Francis and Woodfin advocated its passage.]

On motion of Mr. Waddell, the Senate proceeded to the orders of the day, and took up the Resolutions in relation to William Ennett, Esq., Senator from Onslow. After the reading of the Resolutions, the Hon. Louis D. Henry, the Senior Counsel for Mr. Ennett, proceeded to deliver his defence.

Mr. Henry commenced by saying, circumstances had placed the defendant and his Counsel in a most embarrassing position. The Senate stood in the light of Prosecutor, Judge and Executioner; if he offended one, he offends all. The Senate were sitting as a Court of Judicature and were bound to take the evidence in conformity to the law of the land. He then stated, that the Committee who sat on Mr. Ennett's case might be governed by prejudices, political, personal or other, and not be conscious of it. The Report of this Committee, said Mr. H., is embarrassing, not on account of the legal points, but, because it has *prejudged* his client. He fears it is the same case with the Senate, owing to having before them this Report in print for two days and nights.

(The Chair here called Mr. Henry to order, and stated he must confine himself to the Rules of the Senate; that he considered him as impeaching the character of Senators.)

Mr. Henry disavowed that he meant to cast any reflection whatever on honorable Senators, and said the nature of the defence placed him in the attitude of a preacher; he had to condemn without meaning condemnation, and cited language of the decalogue as proof that it could be done. Mr. H. then proceeded to comment on party spirit, how rife it had become in our country. We see it, said Mr. H., dividing families, setting father against son and son against father, brother against brother, and neighbor against neighbor. The state of parties that divide the country—

The Chairman interrupted Mr. Henry and said the Counsel for Mr. Ennett must confine himself to the Rules prescribed for the government of the Senate, in the discussion of the question before the House. It is not in order to refer to or discuss the state of parties that divide the country.)

Mr. Biggs, addressing the chair, inquired if it ruled the counsel out of order for referring to the state of parties?

The Chair repeated its decision, and asked if the gentleman from Martin took an appeal? Mr. Biggs made no response, and taking his seat, the Chair desired the Counsel to proceed.

Mr. Wilson here rose and said, so long as he had been a member of this body he had never done any thing to embarrass the presiding Officer, but it must be manifest to all—

The Chair.—Does the gentleman from Edgecombe take an appeal from the decision of the Chair? If not, he is out of order.

Mr. Wilson took his seat.

Mr. Biggs again rose, and asked time to prepare an objection in writing.

To which the Chair replied, that the Senate in extending its courtesy to admit Counsel to the bar of the Senate, did not clothe it with greater privileges than were granted to one of its own body, and therefore, the defence must conform to the Rules of Order that govern the Senate.

Mr. Cameron here asked to have Mr. Biggs' objection entered on the Journal. To which the Chair paid no attention, but invited the Counsel to proceed.

After a few moments' consultation with his associate, Mr. Henry walked up to the Clerk's Desk, handed the Clerk a paper, remarking, that that was the only paper in his possession belonging to the Senate. He then returned to his seat, and after gathering up his books and papers, and taking his hat, he respectfully returned his compliments to the Chair and Senate for the courtesy extended to him and his associate Counsel in granting to them the privileges of a seat in their honorable body. He then, followed by Mr. McRae, left the Senate Chamber.

The Chair to the Senate.—The question now recurs upon the adoption of the Resolutions. Is the Senate ready for the question?

At which time, Mr. Boyden addressed the Chair in a most conclusive and able speech.

We have not room for the whole of Mr. Boyden's speech. It is in substance as follows:—

Mr. B. had declined serving on the Committee, but the Senate insisted unanimously, and he reluctantly consented. He disavowed, before the Senate and High Heaven, the existence of the slightest feeling of unkindness towards Mr. Ennett. He had extended to him every courtesy and privilege, and voted for every request he had made, either of the committee or the Senate.

As Mr. Ennett had requested the inquiry, he feared, that though he might be acquitted, guilt would be fixed on some one else. But Mr. Ennett gave them no aid in the prosecution of the inquiry. The committee examined a number of witnesses, not on account of any supposed participation of those witnesses in the forgery, but with a faint hope that the hand-writing would be recognized, or some clue found. At last, Mr. Ennett was informed, at Mr. B's request, of the unfavorable conclusion to which the committee must come, unless he would furnish some testimony to rebut the strong presumption against him. He was also informed, that they would sit as long, and examine as many witnesses, as he wished.

At the next meeting of the committee, Ennett appeared, and requested that Mr. Etheridge be examined, which was done. Ennett was then asked if he had any further testimony to offer. He replied that he had none. And on motion of one of the *minority* of the committee, the testimony was closed, with the entire approbation, as the committee believe, of Ennett himself.

Mr. Boyden then passed to the legal point, as laid down in the committee's report. In Starkie on Evidence, said he, the rule will be found laid down in the very words of the report. But in the case of the State against Britt, 3 vol. Dev., page 125, Chief Justice Ruffin lays down the rule in the following pungent language: "Being in possession of the forged order, drawn in his own favor, were facts constituting *complete proof*, that either by himself, or by false conspiracy with others, he forged, or assented to the forgery of the instrument; that he either did the act, or caused it to be done—until he showed the actual perpetrator, and that he himself was privy. It is very different from having a counterfeit bank note.—That is an instrument current in its nature and use, and may well come innocently to one's hands. But it is next to impossible, that the defendant could get possession of such an instrument as this, purporting to be for his own benefit, without having fabricated, or aided in the fabrication of it. If the instrument be a forgery, he, who holds it under such circumstances, is taken to be the forger, unless he shews the *contrary*." Again, in the case of the State vs. Morgan, 2 vol. Dev. and Batt., the Chief Justice says: "In larceny, for instance, the possession of stolen goods is evidence that the possessor was the thief. It is the usual evidence. It is deemed cogent, because no more can be expected; being the best that is admitted by the nature of the case." The recent possession of stolen property, which the accused fails to give any reasonable account of, is the common and satisfactory evidence of his guilt. Whether this conclusion be one of law or of fact, seems to be hardly worth inquiring; for it is one of common sense, which every sound mind will draw, with the slightest acquaintance with mankind. The same principles and reason apply, with equal force, to every act done in secret, and with which, when it becomes known to the world, the accused is found to be the first and only person connected. Forgery is not an exception."

In Russell on Crimes, vol. 2, page 657, it is said: "In the case of the King vs. Sheppard, uttering a forged stock receipt to a person who employed the prisoner to buy stock to that amount, and advanced the money, held sufficient evidence of an intent to defraud that person; and it was further held, that the oath of the person to whom the receipt was uttered that he believed the prisoner had no such intent, would not repel the presumption of an intention to defraud." The cases above referred to clearly establish the principle mentioned in the report of the committee, to be the settled law of the land.

Mr. Boyden then rehearsed and commented on the testimony. And declared, that all that was offered by Ennett to rebut the strong presumption of his guilt arising from his possession of the forged certificate drawn in his own favor, is that of good character alone. Is that sufficient to rebut a presumption which the Chief Justice terms complete proof until the contrary be shown? He thought not, decidedly.

He then examined the plea that Ennett had no motive to commit the offence. To which he replied, that the forgery is clearly established, and indeed admitted; no other person is shown to have been connected with the transaction, and no other could have had any possible interest in it as far as we know.

But, said Mr. B., there is other testimony which cannot lie; which fixes the crime of forgery upon the Senator from Onslow, beyond the hope of escape. I call this proof to the attention of the Senate. I ask every Senator, before he pronounces his judgment in this case, to examine carefully the written statement of the Senator presented to the Senate at the time he asked for this investigation, which was admitted by the Senator before your committee, to be in his own proper hand-writing. I call upon Senators to examine said written statements minutely, especially the name of John A. Averett where it occurs in said writing. Then examine his name as signed to the forged certificate, and if you can then doubt, you would still do so though one should rise from the dead; it is manifestly written by the same hand, with the same pen and ink. There is one other circumstance which I desire to call to the attention of Senators, and that is, the remarkable similarity between the certificate of the Senator from Onslow, and that of the Commoner, Mr. Edward W. Sanders. I call the attention of Senators particularly to the punctuation to the two first short lines at the top of the certificates, *John A.* forming the first, and Averett, Sheriff, the second line in the certificates.

Mr. Boyden regretted that the minority of the committee had not submitted a counter report showing the train of reasoning by which they arrived at the conclusion that Ennett was guiltless. He would be glad now to hear them, and would be glad of some suggestion as to the degree of punishment to be imposed, if the Senate should find Ennett guilty. The committee recommend expulsion, but in consequence of the good character established, together with his extreme ignorance, Mr. B. would cheerfully listen to any suggestion of a modification of punishment. In conclusion, he repeated that he never entertained one unkind feeling towards Ennett, to whom he was a stranger. His only feelings toward him were those of pity and compassion for the unfortunate man and his innocent family. But Senators, said he, we owe it to ourselves, we owe it to the offended dignity of the Senate, we owe it to our constituents and the country, regardless of consequences, to pronounce solemn convictions of our judgments, "let justice be done, though the Heavens fall."

At the close of Mr. Boyden's remarks and after he had taken his seat, Mr. Melvin rose for an explanation. Addressing himself to Mr. Boyden (Mr. M.) wished to know if Mr. B. was alluding to him, as giving counsel to Mr. Ennett, in the course of his remarks.

The Chair remarked, he did not so understand the Senator from Rowan, or he should have called him to order.

Mr. Boyden then rose and protested against any such construction of his remarks, and disavowed that any part of them applied to the Senator from Bladen, or to any other Senator, excepting the one whose trial they were then on.

Mr. Dockery moved that the Senate take a recess till 3 o'clock.

Mr. Edwards here remarked that for one, he should like to take a vote on the question at once, and would be glad to know if any Senator wished to address the Senate further on the Resolutions; if not, he hoped the Senator would withdraw his motion, and let the question be put before an adjournment. If, however, said Mr. E., there should be any Senator who is desirous of speaking, he would cheerfully listen to him and support the motion for a recess.

Mr. Francis said he felt bound in justice to himself as Chairman of the Committee, to answer the attacks made by one of the Counsel of Mr. Ennett on its Report, and to exculpate the Committee from the aspersions attempted to be cast upon them by that Counsel.

Whereupon the Senate took a recess till

3 O'CLOCK.

The Senate took up the unfinished business of the morning, and after the reading of the Resolutions then pending, Mr. Francis addressed the Senate.

Mr. Francis said, in substance, that his feelings had been strongly enlisted in favor of Mr. Ennett. He thought he had been imposed upon; and was determined to leave no means untried to ferret out the guilty perpetrator. But when the committee met, upon comparing the signature of the forged certificate with the hand-writing of Mr. Ennett's statement, he was forcibly struck with their similarity. They were all perfectly satisfied, however, that the body of the forged certificate was in a different hand from the signature. And they endeavored to find out by examining witnesses familiar with business in Raleigh, whose hand-writing it was. In this they entirely failed. During the three weeks in which the committee met nearly every evening, Mr. Ennett never but once appeared. The Senator from Edgecombe stated, that he had told Ennett it was not necessary he should attend. This accounts for his absence; but it was strange, that in an investigation instituted at his own request, to exonerate him from a charge of forgery, he should not think it necessary to attend in person, for give the committee the name of any witness to examine in his behalf.

Mr. F. was much surprised to hear the senior Counsel of Mr. Ennett positively deny the correctness of the position of law, as laid down by the Committee. He had thought that any one who had read even the "corn book" of the law, would without hesitancy admit the correctness of that rule, which is as old as the law itself against forgery, is laid down in all the text books, and has been repeatedly recognised as correct by the highest judicial tribunal in this State. Mr. F. here read various authorities from the law books, all of which lay down the doctrine, that one found in the possession of a forged order in his own favor, is presumed either to have forged it, or procured it to be forged, until the contrary appears. The Counsel for Mr. Ennett informs us, that any man is liable to be imposed upon by a forgery, particularly forged bank paper; but it will be perceived in the case of the State vs. Britt, just read, that the Court makes a very clear distinction between an instrument, current in its nature and use, and one which is of a private nature; the former they say may come innocently to one's hands. "But it is next to impossible that the defendant could get possession of such an instrument as this, purporting to be for his own benefit, without having fabricated or aided in the fabrication of it. If the instrument be a forgery, he who holds it under such circumstances, is taken to be the forger, unless he shews the contrary."

It will be perceived, Sir, that notwithstanding the Courts of Law determine the possession of such an instrument unexplained, to amount to complete proof, yet the Committee have thought proper in their Report, to take the side unwarranted, and give it the force of a presumption of guilt; and still, sir, they are attempted to be sneered at by the Counsel of this unfortunate man, for exhibiting such extraordinary zeal in this matter. Here Mr. Francis was called to order by the Chair. Unfortunate man did I say! Yes, Sir, he is unfortunate—he has been made the tool of some designing partisan, to effect his unholy purposes; he has brought eternal infamy upon himself and his posterity, by becoming the dupe of some more experienced, and consequently much more cunning wire-worker. And yet, Sir, a Committee of this body is accused of an anxious solicitude to convict such an individual. I for one, Sir, and I think I may speak for others on that Committee, can with confidence appeal to that God who knows the secrets of all hearts, that I was from my soul anxious to acquit the Senator from Onslow, if I could in justice to the dignity of this body, and the duty I owed my constituents, do so. I was anxious to find out the principal in this transaction; upon his head I should like to see visited the severest punishment that this House could inflict. But, Sir, although I believed, and do now believe, that Mr. Ennett was not the principal actor in the perpetration of this forgery, yet I have not the slightest doubt that he was privy thereto; and the Senate must in justice to themselves, punish him accordingly.

Mr. Francis then went into an examination of the evidence, exposed the arguments of Counsel in opposition to the decision of the Supreme Court, upon which tribunal he passed the highest eulogium, and closed with the remark, that in consequence of the evidence of the harmless, inoffensive, and credulous character of Ennett, and his incapacity to perceive fully the enormity of his offence, he was ardently desirous to mitigate the punishment of one who was evidently the dupe of a foul and deep laid conspiracy, and should move an amendment to substitute a milder punishment. He called upon every member of the Senate to join him in passing this amendment, and thereby save, in some degree, the mortification of feeling which must necessarily follow the severe penalty of expulsion,—whilst at the same time the character and integrity of the Senate will be amply sustained and vindicated.

At the close of Mr. Francis' remarks a cry of question was called for on all sides of the Chamber; thereupon the Chair put the question on the adoption of the first Resolution, which is in the following words:

Resolved, That the certificate of the Senator from Onslow, and by him introduced to the Senate as genuine, the first day of the session, is a forgery.

This Resolution passed by an *unanimous* vote of the Senators present. Mr. Gwynn was not in his seat.

The second Resolution was then read as follows:

Resolved further, That inasmuch as no evidence has been offered before the Committee to implicate any other person in the transaction, that the Senator himself has either been guilty of the forgery, or procured it to be done, or was at least aware that it was not genuine; and, therefore, practised a fraud upon the Senate and ought to be expelled.

Mr. Francis moved an amendment to this Resolution, by striking out after the words "procured it to be done," and insert, "or was aware at least or had strong reason to suspect that the certificate was not genuine and by presenting the same without explanation, as his credentials, was guilty of gross and criminal negligence. Thereby imposing a forged certificate, and becoming instrumental in practicing a fraud upon the Senate, for which he might justly be visited with its severest censure; yet, considering the evidence offered on the part of the said Senator, upon the examination of his case before the Senate, which has shown to the satisfaction of the Senate, that he has heretofore sustained a character of being harmless, and inoffensive, and is also a very ignorant man, and hence was not likely to perceive fully the impropriety of his conduct, the Senate believe that the case does not absolutely require the severest censure, but that a milder punishment may, under the circumstances, be properly substituted for expulsion: Therefore,

Resolved, That the Speaker do, from the Chair, reprimand the said William Ennett, the Senator from Onslow, for his misconduct, the said Senator standing in his place to receive such reprimand.

Mr. Shepard advocated the adoption of this amendment most eloquently.

Mr. S. said he was glad this amendment had been offered; it met with his decided approbation, it enabled all those gentlemen who had any scruples about inflicting so severe a punishment upon the Senator from Onslow as expulsion, to censure his conduct in the mildest manner they could. He rejoiced that this amendment had been offered, because it enabled the Senate to vindicate its violated privileges. And at the same time, to convince every candid and impartial mind, that there was no personal hostility or party feeling mingled with its judgment. He hoped that both sides of the house would vote for this amendment: it was the least that could be done, and the Senate could not escape the responsibility of doing something.

We have resolved unanimously, that a base forgery has been committed upon the Senate through the Senator from Onslow. Can we stop then Sir? Can we go home to our constituents and tell that we witnessed a base fraud upon the rights and privileges of the Senate, but had not the nerve to express an opinion about it? I hope not Sir. I trust we shall be spared that contemptible folly.

Whilst, Mr. Speaker, I prefer the amendment to the original resolution proposed by the committee, I must say it is not because I have any doubt about the guilt of the Senator from Onslow. Of that, Sir, I cannot doubt, although there is no direct and positive testimony that the Senator knew the certificate was forged the day he presented it, still the circumstantial testimony is perfectly conclusive. Were I sitting in a jury-box, under the solemn sanctity of an oath and the Senator from Onslow the arraigned culprit at the bar of justice, I should be compelled from the evidence offered before this Senate on yesterday, by his own counsel, to find him guilty of the crime of forgery.

Without recapitulating to the Senate the testimony, I would ask, why did he remain in his seat voting and acting as a Senator, more than a week after he told the Clerk he suspected the genuineness of his certificate? Does such conduct look like an honest and innocent man? Why did he not say to the Senate what he said to the Clerk? Simply because the Speaker was not elected. Sir, those persons now, who deny his guilt, have in my opinion, a mass of simplicity, if not of ignorance, almost equal to the quantity which the counsel for the Senator from Onslow urged on yesterday, in behalf of this unfortunate individual.

It has been asked with most extraordinary assurance, what interest had he in the forgery? What interest? Apart from the sordid motive of his daily pay, do we not all know that an important and even balanced election was pending in the Senate between the rival parties in this body; and has not the melancholy experience of the country convinced us, that when the passions of men are excited, there is no trick that a dirty politician will not resort to. The Senator from Onslow had precisely that motive to commit or connive at this forgery, which would actuate a man of his feeble understanding.

It may be asked, why do I object to passing the original resolution, if I think Mr. Ennett guilt? I wish the Senate to inflict a mild punishment, that every dispassionate and impartial man in the country, may be satisfied that we have been actuated by no other motive than a regard for the honor and character of the Legislature of the country, and that this man may remain during the short remnant of the session, to attend to his county's business, if he may have any committed to his charge. I am satisfied that no member of this body desires his expulsion, but, Sir, if our motives were as pure as snow, they will not escape calumny. That he deserves some punishment, no man who voted for the first resolution can doubt, and the Senate voted unanimously for it. I would therefore say to the friends of the man, if he have any such upon this floor, to come forward and vote for this amendment, else they will expose him to the danger of expulsion, for the Senate will have no other alternative. Can the friends of Mr. Ennett hesitate to vote for the amendment? They have already voted that a forgery has been committed. They cannot erase that record from your statute book. And Sir, if they refuse to vote for this amendment, they alone are responsible for the consequences.

There are but two punishments the Senate can inflict. We are bound to choose one or the other; either expulsion or censure. They are by this amendment both tendered to the Senate, and I do hope both sides of the house will incline to the side of mercy. Should we do neither, we will leave a suspicion resting upon this body, that there were either considerations more operative, than either a sense of duty, or regard for the Senator from Onslow. I cannot, however, for a moment, anticipate such a result. The Senator from Onslow has had every opportunity to vindicate his character he could desire. The subject was for weeks before an able committee of this house, who anxiously sought for topics of exculpation, but could find nothing, not even a minority report. His political friends upon this floor have shrunk from his defence, not one member has risen in his place and said he believed the Senator from Onslow innocent of the charge of forgery. Commiserating his deserted condition, the Senate have granted him the unprecedented favor of employing counsel to defend him. And what was the result: a distinguished gentleman long practised in our Courts of Justice, and not given to despair in the cause of innocence, after examining the witnesses, most gracefully abandoned the case, as "too weak to carry him, or too heavy to be carried by him."

What then, Sir, is the condition of this body? We have unanimously voted a sentence of condemnation; it remains for us to say, whether we will issue execution; and that execution must be either expulsion or reprimand. I prefer the latter, hoping that it will meet the approbation of those persons, if there be any such, who have doubts about this transaction.

The question recurring on the adoption of the amendment, it was decided in the negative by the following vote:

Ayes—Messrs. Albright, Bogle, Boyden, Cowper, Dockery, Elliott, Francis, Halsy, Hargrave, Hellen, Jefferson, Joyner of Halifax, Joiner of Pitt, Lindsay, McMillan, Pharr, Shepard, Smith, Taylor, Thompson of Bertie, Waddell, Woodfin, Worth.—23.

Nays—Messrs. Biggs, Boyd, Cameron, Drake, Eaton, Edwards, Etheridge, Exum, Gavin, Gwynn, Hester, Hill, Holmes, Jeffreys, Melvin, Moody, Pasteur, Reich, Speight, Stallings, Stowe, Thompson of Wake, Tomlinson, Walker, Wilson.—25.

A strict party vote, with the exception of Mr. Moody, a Whig, who voted in the negative with the Democrats.

When the Chair announced the rejection of the amendment, Mr. Shepard again addressed the Senate in a most impassioned manner.

Mr. Shepard said, I am now prepared, Mr. Speaker, to vote for the resolution of the committee which recommends expulsion. We have done all that was consistent with our duty, to save this man's feelings. His political friends have silently, without a word of explanation, rejected the proffered mercy. I can now, Sir, with a clear conscience, and the fullest conviction of doing right, vote for expulsion. Upon his misguided friends must rest the responsibility. We have done all Sir, that mercy can ask; it remains now to do, what justice demands.

Mr. Waddell here rose and spoke in terms of indignant eloquence.

Mr. Speaker: The Senate having rejected the amendment proposed by the Senator from Haywood, the question recurs upon the passage of the second Resolution. The situation in which I am now placed, is most painful to me. I had hoped that "this cup might have passed from me." To consign a fellow-citizen to that infamy which is involved in a sentence of expulsion, must at all times be revolting to our better feelings, and can only be justified by a stern and inevitable necessity. The testimony adduced in behalf of the member from Onslow, shews him to be not only a very weak, but a very confiding man, and therefore liable to be made the dupe of others' artifices, yet there are circumstances to which I will briefly allude, which can leave no rational doubt of his guilty participation in the fraud practised upon the Senate.

Since then, the *friends* of the member from Onslow, have placed me under the necessity to do so, by rejecting the amendment, I will very succinctly state the reasons which will influence me in giving the vote I am now about to record.

Let us recur to the facts. By the unanimous adoption of the first Resolution, the Senate has declared that the certificate offered by the Senator from Onslow is a *forgery*. Sir, I shall not discuss the legal proposition deducible from this fact, to-wit: "that wherever an individual presents and takes benefit under a forged instrument, that is *complete* proof of his guilt, unless rebutted." But I may refer to the circumstances under which this certificate was presented, to shew the motive which prompted the act. It is universally known, that owing to the death of the Senator elect from the County of Johnston, a deep solicitude pervaded the State in regard to his successor; that on the result of the special election being published it was apparent that political parties were equally represented on this floor. On the arrival of members, a breathless anxiety was felt in regard to the selection of the Speaker of the Senate, upon whom might devolve the office of Governor, in the event of the death of that officer. Under these circumstances, the Senate met on the 18th November, and the member from Onslow presented the certificate (which has just been declared by the unanimous voice of the Senate a forgery:) was qualified, and took his seat as a member under it. On the 29th November, the member read to the Senate a written statement, that since the 18th, he had received from the Sheriff of Onslow a genuine certificate, and from that fact, and by comparison with the former one, he had reason to believe that he had been imposed upon. From the language of the statement, it is apparent that the member had only arrived at the conclusion of the certificate's being a forgery, by a comparison of it with that just then received. Now, to shew that this statement was false, we have only to recur to the testimony given by the Clerk of the Senate, Mr. Stone: He stated on oath, that on the morning of the second day of the Session, the member from Onslow, asked of him to exhibit the Certificate, and after inspection, declared to the Clerk that he believed it to be a forgery. This was on the 19th day of November; and yet the member did not till ten days thereafter, bring this matter to the attention of the Senate. It will be recollected by all, that this body was not organized til the fifth day after the assemblage of its members. During four of these days did the member from Onslow lend his aid to prevent its organization. What now are the *irresistible* conclusions to be deducted from the foregoing facts—facts which no one has attempted to controvert. First. That a forgery has been committed. Secondly. That the Senator from Onslow has taken benefit of that forgery. Thirdly. That on the second day of the Session, if not before, he had knowledge of that forgery. Fourthly. That notwithstanding this knowledge, the member retained his seat, exercised the rights of a Senator, and from the 19th to the 29th November, concealed from this body the fact that a forgery had been committed in the certificate presented by him. The guilt thus brought home to the member, renders it imperative on the Senate to visit him with exemplary punishment.—There are but two modes of punishment recognised by Parliamentary Law—Reprimand and Expulsion. If it had been the pleasure of the Senate, I had been content to have adopted the former, for certain circumstances of extenuation to which I have already alluded. But I have now no alternative left, but to acquit or expel. Sir, is there a single member of this body, who believes the Senator from Onslow guiltless? What then is the duty we ow

is respect in Courts of Justice"; where not only it was made the duty of Counsel, but also of the Judge to warn the Jury against the danger of entertaining any prejudices, or participating in any public excitement on the Defendant's case—that he felt it to be his duty as Counsel, to give this caution, and meant it to be personal or disrespectful in the least; therefore, he thought the Senate ought to be wary and distrustful of themselves, when *party spirit was so rife every where in this State and throughout the country*, and discard all personal, sectarian, or party prejudice—for that prejudice would sometimes course through honest minds, as insensibly as the blood did through the veins, silently and warmly, or as insensibly as the atmosphere through the lungs.

When the Speaker interrupted the Counsel, and marked, that he must confine himself to the Rules of the Senate. Discussion of party feeling had nothing to do with the Resolutions before the Senate, and was out of order; and therefore, Mr. Biggs raised the question of order and submitted that the Counsel was not out of order in remarking as he was doing on the effect of party spirit. The Speaker then retired to writing the following, which he read to the Senate:

"The Chair decides that the counsel for Mr. Enloe must confine himself to the rules prescribed for the Government of the Senate, in the discussion of the question before the House; and that it is not in order to refer to or discuss the state of parties that divide the country."

The Speaker then asked the Senator from Martin, if he took an appeal from the decision of the Chair; the appeal was taken. He then remarked that the Counsel could proceed in order.

Whereupon, the counsel took his hat, books and papers, and walked out of the Senate."

Mr. Dockery called for a division of the question. The first then recurring was to strike out, which was decided in the affirmative by the following vote—yeas 22, nays 20.

The question then recurred upon inserting the amendment.

Mr. Francis moved to strike out all after the pending Resolutions, and insert the following as an amendment to the amendment, which was rejected.

While Mr. Henry one of the Counsel of the Senator from Onslow, having commenced his Speech, and being called to order for irrevelancy. It is therefore,

Resolved, That a Committee of three be appointed by the Senate to wait on Mr. Henry, and ask from him a copy of *all* of his remarks on that occasion, in order to place the same on the Journal.

Mr. Woodfin offered the following as an amendment to the amendment, to be inserted after the word Resolutions in the first line:

"In the course of the remarks made by Mr. Henry, he charged the Senate with having *pre-judged* the case of the Senator from Onslow. Where upon, he was called to order by the Chair.

This amendment was rejected by a vote of 25 to 19.

Mr. Elliott moved to lay the amendment on the table, which was negatived—ayes 12, noes 31.

The amendment of Mr. Biggs was then ordered to spread upon the Journal, by the following *party* vote:

Yeas—Messrs. Biggs, Boyd, Cameron, Drake, Eaton, Etheridge, Exum, Gavin, Gwynn, Hester, Hill, Holmes, Jeffreys, Melvin, Pasteur, Reich, Speight, Stallings, Stowe, Thompson, of Wake, Tomlinson, Walker and Wilson.—23.

Nays—Messrs. Albright, Bogle, Boyden, Dockery, Elliott, Francis, Halsey, Hargrave, Hellen, Jefferson, Joyner, of Halifax, Joiner, of Pitt, Lindsay, McMillan, Pharr, Shepard, Smith, Taylor, Waddell, Woodfin and Worth.—21.

Before taking the foregoing vote, Mr. Shepard, of Pasquotank and Perquimons, addressed the Senate as follows:

This, Mr. Speaker, is the most novel and extraordinary proposition I have ever heard. The gentleman from Martin proposes to insert part of a Speech in the journal of the Senate—not his own speech, but the speech of another man, and that Speech two days old. Now, Sir, it is utterly impossible that the gentleman from Martin can recollect so minutely any part of Mr. Henry's Speech, as to place it literally on the journal. Has the gentleman consulted Mr. Henry on the subject, and submitted his two pages to Mr. Henry's correction? If he has not, he may to Mr. Henry great injustice; and perhaps Mr. Henry might not choose the gentleman from Martin for his reporter. Mr. Henry may not like to go down to posterity garbled upon the journal of the Senate, for the purpose of rebuking the gentleman from Martin to make a noise. I would therefore suggest that we have the whole Speech. The gentleman from Martin, says he has all that part which the Speaker pronounced out of order. Now, Sir, my opinion of the Speech is, that the whole of it was out of order; it had nothing at all to do with the Resolutions before the Senate, but was rather a moral lecture upon our natural infirmities. Therefore, hope since the gentleman from Martin is desirous to preserve it, that every gentleman here present will contribute what he may remember of it, for so valuable a piece of morality may be preserved for the benefit of mankind. The gentleman from Martin should remember also, to insert in his motion, that the Speaker, when he made his decision upon the point of order, asked twice, if not three times, whether any appeal was taken from his decision. Why did not the gentleman at that time take an appeal? when the matter was fresh in the mind of every one, and now when it is forgotten?

On motion of Mr. Taylor, a message was sent to the House, with a proposition to adjourn *sine die* on Monday, the 6th day of January next.

On motion of Mr. Dockery,

Resolved, That Wm. Emmett is entitled to his *per diem* up to Saturday last, inclusive, and his mileage for this place, and that the Clerk make up the estimates in that way.

The Bill to establish a uniform practice throughout the State, on suits upon Bonds, Bills and Promissory Notes, was read the second time and rejected.

HOUSE OF COMMONS.

Mr. Guthrie introduced a Bill to authorize the several Banks of this State, to issue notes of a less denomination than three dollars.

The Engrossed Resolution authorising the Governor to erect Grave Stones at the graves of deceased members of Assembly, passed its second and third reading, and was ordered to be enrolled.

EVENING SESSION.

The House concurred in the proposition of the Senate to adjourn *sine die* on the 6th of January next.

The bill to set apart a Homestead Freehold to any citizen of this State of the age of 21 years, was read a second time, and on motion of Mr. Guthrie, postponed indefinitely, by the following vote: Yeas 67, nays 47.

SENATE.—*Tuesday, Dec.* 24.

The following Engrossed Bills passed their third reading, and were ordered to be Enrolled:

The Bill to extend the time for registering Grants, Deeds of Conveyance, Powers of Attorney, Bills of Sale, and Deeds of Gift.

To incorporate the Town of Monroe, in the County of Union.

To amend an Act for the better regulation of the Town of Mocksville, in Davie county.

To keep open French Broad and Tennessee Rivers.

The Senate ordered the engrossment of the following Bills:

To amend an Act punishing the defaults of returning officers in the election of Electors for President and Vice President of the United States.

To prohibit the levying of Executions upon growing Crops, until said Crops are matured.

The Bill to amend the 75th sec. of the 34th chapter of the Revised Statutes, was read the third time, and on motion of Mr. Francis, indefinitely postponed.

EVENING SESSION.

The Senate ordered the Enrollment of the following Engrossed Bills and Resolutions:

To incorporate the Fayetteville Library Institute.

Resolution, relating to Smithville in Brunswick county.

The bill to amend the 10th section of the 102d chapter of the Revised Statutes, was rejected.

HOUSE OF COMMONS.

Mr. Littlejohn offered resolutions, which were adopted, 84 to 27, declaring, that as soon as the condition of the Treasury would admit, Asylums ought to be established for the Deaf and Dumb, and the Blind; and requesting the Governor to procure estimates of the probable cost, &c.

The House took up the bill to authorize the foreclosure of the Raleigh and Gaston Rail Road Mortgage.

Mr. Cherry offered a Preamble to the bill, which explained to the House, and it was adopted.

Mr. Cherry further moved, that the whole bill, after the enacting clause, be stricken out, and a substitute, which was read, be inserted in lieu thereof.

This amendment does not vary from the original, except in providing means for a more speedy foreclosure of the mortgage, and for incorporating with the powers and privileges of the present Company, such as might become the purchasers of the Road; and many minor alterations in regard to the details.

Mr. Cherry advocated at some length the Preamble and merits of the measure, and was cut short by the hour of recess.

EVENING SESSION.

Mr. Washington, from the Committee on Internal Improvements, reported without amendment, the bill for a Canal from Cape Fear to Lumber River.

Mr. Fleming moved to amend the bill by adding the following Section:

Be it further enacted, That for all debts contracted by said Company, the private property of the several Stockholders shall be liable in proportion to the amount of Stock held by them on the first day of April preceding the creation of such debt, and that any sale or tranfer of Stock, shall not exempt them from liability.

Mr. Nixon, addressing the Chair—I have no objection to the proposed amendment, and very cheerfully accept it. Whereupon, the House adopted it by a vote of 96 to 4—Messrs. Harris, Keener, McLean and Watters voting against it.

The bill then passed its second reading.

The House resumed the consideration of the bill to authorize the foreclosure of the Raleigh and Gaston Rail Road mortgage.

Mr Cherry concluded his remarks in favor;

And Mr Wilder spoke against both bill and amendment. He said that the report of the committee had been made without his knowledge or consent or approbation. Mr Cherry interrupted him and declared, that the committee had, without dissent, instructed him to make the report. Mr Mebane confirmed this statement. The House adjourned after sun-down

SENATE.—*Thursday, Dec.* 26.

The Speaker presented to the Senate a communication from the Public Treasurer, in relation to the correspondence between the Treasurer's Department and His Excellency the Governor, relative to the legal right of the Governor to receive per diem compensation as President *ex officio* of the Literary and Internal Improvement Boards; [called for by resolution of Mr Jeffreys on Tuesday.] Ordered to be printed, together with the accompanying documents.

The engrossed bill to amend the Revised Statutes, concerning Clerks and Registers, was read the third time, passed, and ordered to be enrolled.

The bill to amend the Revised Statutes, entitled Courts of Equity, was ordered to be engrossed.

The bill concerning a Penitentiary was read the second time, amended, by motion of Messrs. Francis and Elliott, and passed as amended.

The bill giving Equity Jurisdiction to the Courts of Law in certain cases, was read the second time. Mr. Boyden moved to amend, by striking out "Courts of Pleas and Quarter Sessions,"—rejected. The bill then passed.

Bills rejected.—The bill to complete the road from Burnsville to the Tennessee line. The bill to alter the road from Asheville to Tennessee line. The bill to appropriate $5,000 to remove obstructions in Pasquotank river. The bill to amend 77th sec. of 91st ch. of Revised Statutes. The bill to compel Clerks to issue Executions within a certain time after Court.

The Senate took up the engrossed Resolution concerning the Public Treasurer, which was read the second time.

Mr. Biggs offered the following substitute therefor:

"Whereas, it appears by the Report of the Committee on Finance, that $31 have been erroneously paid to James Page, Doorkeeper to the House of Commons at its last session. Therefore

Be it resolved, That the Public Treasurer investigate the same, and take such steps as he shall see fit for the recovery of said sum."

The amendment and Resolution were, on motion of Mr. Francis, re-committed to the Committee on Finance.

On motion, the Senate adjourned.

HOUSE OF COMMONS.

Mr. Wilder introduced a bill to amend the charter of the city of Raleigh, and also a Resolution relating to said city. Referred.

Mr. Lord, from the Committee on Propositions and Grievances, reported unfavorably to the Petition from Macon, Haywood and Cherokee, praying for a new county. Report concurred in.

Mr. Lord, from the same Committee, reported without amendment, the bill to open the Pee Dee and Yadkin rivers, when said bill passed its second reading.

Mr. D. A. Barnes, from the Committee on Private Bills, reported unfavorably on the bill to prevent obstructions in Hitchcock's Creek, in the county of Richmond, when the same was read the second time and rejected.

Mr. Moore, from the Judiciary Committee, reported unfavorably on the bill to provide for the distribution of the proceeds of land sold for partition in certain cases. The bill was thereupon rejected.

Port of Wilmington.

ARRIVALS.

December 20.—Schrs. Lion from New River, Express from do., Sarah Ann from do., Wm. Hart from New York. 22.—Brigs Grand Turk from Matanzas, Four Brothers from Charleston, Carolina from do., Alpine from Martinique, Granite from N. York. Amethyst from do., Georgiana from do., Belle from do.; Schrs. North Carolina from Philadelphia, Edward & Frank from Matanzas, Repeater from New York, Export from Charleston. 24.—Brig Alvano from Boston. 25.—Schr. Equator from Charleston. 27.—Brig Frances Louisa from Havana.

FAYETTEVILLE MARKET.—Jan. 1.

Brandy, peach.	50 a 60	Lead, bar.	5 a 6
Ditto, apple,	45 a 50	Mackerel, hf. bl.	$7 25
Bacon,	7½ a 8½	No. 1,	
Beeswax,	27 a 28	Molasses,	35 a 40
Butter,	12 a 15	Oats,	30 a 35
Bale Rope,	7 a 10	Oil, Linseed,	75 a 80
Coffee,	7½ a 10	Nails, cut,	5 a 5½
Cotton,	4½ a 4¾	Powder, keg,	$6
Cotton Bag'ng,	16 a 20	Rags,	2
Corn,	40 a 50	Sugar, brown,	8 a 10
Copperas,	3 a 3½	" Lump,	14
Candles, F. F.,	11 a 12½	" Loaf,	14 a 16
Flour, new,	$7½ a $7¾	Salt, (bushel.)	45 a 50
Feathers,	28 a 30	Sack,	$2 a $2 25
Flaxseed,	$1 10 a $1 20	Tallow,	6 a 7
Hides, green,	4 a 5	Tin, box, ½ x.	$10
" dry,	8 a 10	Tobacco, leaf,	1¾ a 2¼
Iron,	4½ a 5	Wheat,	70 a 85
Lard,	7 a 8	Whiskey,	35 a 40
Lime,	$1½ a $2	Wool,	12½ a 15

DOMESTICS.

4-4 Sheeting, Fayetteville manufacture, 7 cts. pr. yd
Cotton Yarn, Nos 5 to 10, 14 cts. pr. lb.

REMARKS.—Business quite dull, and but little produce coming to market. Cotton 4½ to 4¾.

WILMINGTON MARKET—Dec. 25.

Turpentine.—More than 15,000 bbls. Turpentine have been sold within a week at 2 dls. for No. 1 soft, and at proportionate rates for inferior qualities.

Tar.—On Saturday there were sales at 1 20, on Monday at 1 15.

Timber.—Mill qualities range from 5 to 6½; some rafts of a poor kind have brought 4 to 5½.

Lumber, &c.—Quarter flooring is worth much the same as for some weeks, 10 to 11 dls. Wide boards and scantling continue at the late advance, and are in request. Sales of both, at 6, 6½, and 7 dls. R. O. hhd. staves, dressed, are rather up again, and will bring 10 to 11 dls. Shingles are in demand at 2 to 2½ per M.

Nothing else worth reporting.—*Chronicle.*

At Cheraw, Cotton 5¾ to 5. At Macon 2½ to 4 31. At Mobile 4 to 5½. At Columbus 3 to 4¼. At New Orleans 5¾ to 6¼. At Charleston 3½ to 5¾.

JUST RECEIVED,

5 HHDS. MOLASSES,
5 do. Sugar,
50 boxes Cheese,
2 dozen fine Looking Glasses.

C. LUTTERLOH.

Dec. 28, 1844. 39-3w

For Sale or Hire,

A SECOND hand BUGGY, and also two HORSES.

THOS. J. MIMS.

OBSERVER.

FAYETTEVILLE:

WEDNESDAY MORNING, JAN. 1, 1845.

We this week complete the *Twentieth year* of our connection with this paper as its Editor. Twenty years! How prolific of important events! How full of change! The memory rests upon every stage of that long portion of the journey of life, and can scarcely refrain from asking the reader to gaze whilst it brings in rapid review before him the sad and the cheerful prospects with which it abounds. But so few of those who started on that journey with us are now here to look back upon its joys and its sorrows, that we refrain. It would scarcely be fair to require a new generation, whose eyes are directed to the Future only, to turn them backwards on the Past. To us individually, the retrospect has far more of pleasure than of pain. We entered, youthful and inexperienced, upon the responsible duties of our vocation. *How* we have performed those duties, it is not for us to say. Doubtless we have often erred, and often fallen short of duty. But if success be any evidence of merit, we certainly have some reason to claim it; for we have had much the largest circulation of any paper ever printed here, and more than any printed elsewhere in the State, with perhaps one exception. Politically, these twenty years have brought more to grieve over than to commend. But we will not particularize. Our only purpose was to wish our readers a *Happy New Year!* to thank them for the many evidences of kindness they have shown us within these twenty years; and to bespeak their indulgence for so much of the Future as may be permitted to us in which to walk Life's way together.

A derangement of the mails, occasioned by the preparations for the change of the great mail route, on to-morrow, prevented our receiving from our Reporter, the doings of the Legislature for Friday and Saturday. We had hoped to receive them this (Tuesday) morning, but are disappointed, and compelled to go to press without them.

THE FORGERY CASE.—In our last, we gave a brief account of the termination of this unparalleled case; but it forms so curious a chapter in political history, and exhibits in such bold relief the *morality* of Locofocoism in high places, that we copy the particulars at great length this week. We ask every reader to examine the whole subject carefully, for it is indeed an extraordinary occurrence—extraordinary for the hard swearing of one witness; for the unanimous admission of the forgery; for the absence of any attempt to palliate or excuse it, either by evidence or by arguments of his political associates in the Senate; and finally for the votes of his whole party against his receiving any punishment whatever. And has it indeed come to this, that a man may use a forged paper to enable him to serve his party, admit that he suspects its genuineness, yet still avail himself of it until he can procure a genuine one to serve his purpose, offer no excuse for it, and go unpunished in the Senate of North Carolina? If they be honorable men who have thus voted to exempt such an offender from all punishment, why have they given no reason for their vote? They have not opened their lips. They have not dared to say that they believe the man innocent. They sit in dogged silence, admitting the forgery, and yet voting to screen the forger from punishment, because he is a party friend, and committed the crime to serve his party. Not one of these "Democrats" would have hesitated to bring in a verdict of guilty against any poor devil in a Court of Justice for such an offence. Why should they acquit Wm. Emett?

Crowded as we are, we cannot but call the attention of our readers to the evidence of Sanders, the Commoner from Onslow. He first swore that he met Emett on *Monday evening*, and that Emett then asked him if he had brought his Certificate, stating that he had none. It was at once seen that this statement conflicted with Emett's assertion that he got the Certificate on *Sunday night*. If he received it on Sunday night, and believed it genuine, he would not have said on Monday morning that he was without it. To remedy this fatal difficulty, Sanders is again examined before the Senate, and *then* he swears that he is not certain whether it was Monday morning or Sunday night that he talked with Emett! He recollects that he arrived in Raleigh late on Sunday evening, and he recollects where it was that he saw Emett, and he recollects that there were no candles lighted, and yet he cannot recollect whether it was Sunday night or Monday morning! Then there is the similarity between his (Sanders's) genuine certificate and Emett's forged one. It is no wonder that the public mind leans strongly to the conviction that Sanders's certificate was the model from which Emett's was made, and that *somebody* wrote the body of it for Emett to sign with the name of Averett.

Silent as were the Locofoco Senators in this matter, the course of the Locofoco papers is equally significant. The Standard, the Carolinian., the Wilmington Journal, and the Mecklenburg Jeffersonian, all take especial care, whilst they give garbled versions of the matter, made up by themselves, *to omit the whole Report of the Committee, and all the evidence in the case*—exactly the course they pursued with the evidence in the case of Wheeler and the missing money. What better evidence can any one want than this fact, that the party is afraid to let the *truth* be seen? We call upon honest men of the party to answer whether they approve of this course, and whether they will sustain men who can only be sustained by the suppression of evidence under oath, and the substitution of well known falsehoods by unscrupulous party papers? If they will, deep indeed must be the degradation to which the party will sink. But we cannot believe it. There is still common honesty enough in North Carolina, in all parties, to frown upon forgery, perjury, and defalcation—and upon those who aid and abet the perpetrators of those heinous crimes.

THE EXPUNGE.—The disgraceful scene which occurred in the Senate on the 23d, will arrest public attention. The Locofocos, availing themselves of the temporary absence of three Whig Senators, (one of whom, Mr. Worth, was attending at the death-bed of a friend,) actually struck out the record of Saturday's proceedings, as made by their Clerk, a man of their own party, and inserted a partial account of the affair, with a part of the speech of Emett's Counsel! Was ever party fury and folly carried further than this?

The Independent Order of Odd Fellows, in this Town, gave a splendid entertainment on Christmas Eve. We suppose that not less than 500 Ladies and Gentlemen were present; and we can say with pride and pleasure, that never in any place have we seen more appearance of unmixed pleasure than beamed on the countenances of all, both guests and hosts.

The objects of the Order are all benevolent—the relief of the needy, clothing the naked, feeding the hungry, visiting the sick, educating the ignorant—They have our hearty good wishes.

TERRIBLE STEAMBOAT ACCIDENT.—Two Steamboats came in collision on the Mississippi on the 14th ult. and one of them, the Belle of Clarksville, was cut in two and sunk, and 31 persons were drowned.

CONGRESS.

In the SENATE, on Monday the 23d, the Sub-Treasury bill was received from the House and referred. Nothing else of importance. The Senate adjourned to Thursday.

On Thursday, no business of importance was transacted; and the Senate adjourned to Monday.

In the HOUSE, on Saturday the 21st, the Sub-Treasury Bill, introduced at the last Session by Mr. Dromgoole, was called up, and debated for two hours, (all that the majority allowed,) and *passed*, 123 to 69.

On Monday, the Committee on Territories reported the bill to organize the new Territory of Oregon.

A bill to regulate the mileage of Members of Congress was passed, 171 to 8.

Mr. C. J. Ingersoll presented a memorial praying that the proceeds of the public lands be appropriated to abolition. He moved to refer it to the Judiciary Committee. But it was laid on the table, 117 to 49.

Mr. J. W. Davis, a resolution to inquire into the expediency of repealing the duty on Salt. Laid on the table, 71 to 58.

Mr. Douglass introduced a third project for the Annexation of Texas, which provides, among other things, that the public lands of Texas shall be assigned to pay her debt.

After a great deal of unimportant business, the House adjourned to Thursday.

On Thursday, nothing important was done. An attempt was made to go into Committee of the Whole on the Texas question, but it failed.

On Friday, Mr. C. J. Ingersoll stated that he expected to call up the Texas question on Monday.

The bill to graduate and reduce the price of the public lands was discussed in Committee of the Whole. A number of bills, petitions, &c. were presented and referred. And the House adjourned to Monday.

We regret to learn (says the National Intelligencer of the 28th ult.) that the Hon. Mr. Barringer of North Carolina, has been so much indisposed for some days past as to confine him to his room, and of course to prevent his attendance in the House of Representatives.

MASSACHUSETTS.—On Monday the 23d ult., an election was held for Representatives to Congress from the four Districts which failed to elect at the general election in November. The Hon. Daniel P. King (Whig) is re-elected from the 2d District by an overwhelming majority. In the 4th District, Benjamin Thompson (Whig) is elected in place of Mr. Parmenter, the present Locofoco member. Chas. Hudson (Whig) is doubtless re-elected from the 5th District, and there is no choice in the 9th. Massachusetts will thus have nine, and perhaps all Whig Representatives in the next Congress.

MELANCHOLY OCCURRENCE.—Mr. Wm. Calder, a respectable Merchant of Wilmington, was lost overboard from the Steamer Governor Dudley, on his return from Charleston, about midnight of the 20th. He was conversing with the Captain on the upper deck, when his hat blew off, and in the effort to recover it he fell overboard, and though the boat was stopped, the yawl sent out, and nearly an hour's search made, his body was no more seen. He was a native of Charlestown, Mass. but had resided in Wilmington for 15 or 16 years. He has left a wife and three children.

ADVICE—*gratis.*—In 1842, a man named *Pollock* was elected to represent the Locofocos of Onslow county in the Senate of North Carolina. But before he took his seat, he *took French leave*—in plain English *he ranaway!* A Mr. Emett (whether the *late* William Emett we know not) was then elected to represent the same enlightened constituency in the same Senate; and now he has been expelled for Forgery. Under these circumstances, we think the very best thing that Mr. Emett can do, will be, to "follow in the footsteps of his illustrious predecessor."

FOREIGN.—The Acadia, at Boston, brings Liverpool papers to the 4th ult.

The Cotton market was in a wretchedly depressed state. Holders were very anxious to sell, and prices had fallen ½d. within two or three weeks. Fair cottons, (a quality equal to the very best we ever see here,) were selling at 4d. (about 7½ cents,) a lower price than they were ever quoted at; and it is confidently expected that they will go down to 2½d.

The news of the election of Mr. Polk created great surprize, and caused an entire absence of demand for American Stocks. (They fear the progress of Repudiation.)

COTTON.—The news from England knocked Cotton flat in New York. It was offered freely at ½ cent decline without finding buyers. Letters from Liverpool state that fair cottons must not be shipped from New York at a higher price than 5 cents.

What is the planter to do under this untoward state of things? First and foremost he should make enough of provisions to live on, and endeavor to find some other profitable employment for his labor, making as little cotton as possible. There is too much made for the demand, and the price can never go up whilst there is a surplus of a million of bales.

Public Lecture.

The Rev. Mr. Gilchrist will deliver a Lecture before the Fayetteville Library Institute, on Tuesday Evening the 7th of January, at the Court House. The Lecture will commence at 7 o'clock. Tickets for sale at both Bookstores, and at Mr. A. E. Hall's.

☞ There will be a meeting of the Institute at the Rooms of the Society, *on* Saturday Evening at 7 o'clock. The election of Officers for the ensuing year will be held, and other important business transacted. *Jan'y* 1.

The following Ticket will be voted for at the Municipal Election on Monday next:

For Magistrate of Police,
Col. JOHN MAC RAE.

Commissioners.
Ward No. 1. James Sandy.
" " 2. Henry Branson.
" " 3. John H. Cook.
" " 4. Arch'd Graham.
" " 5. W. McL. McKay.
" " 6. Joshua Carmon.
" " 7. Edw'd W. Barge.

Change of Postmaster.—Joseph W. Hampton we learn has been appointed Postmaster of this place vice H. B. Williams removed for being a Whig. This is the administration that wishes to claim for itself the love of people for its justice. Mr. Williams has been removed without any cause. And the P. O. Department could not have selected a more objectionable person to a large portion of our citizens if it had hunted, than the individual it has appointed. But being a brawling and reckless partizan and supporter of Polk, Dallas and Texas is a sufficient recommendation to such an administration as John Tyler's.—*Charlotte Journal.*

CALENDAR FOR 1845.

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
JANUARY				1	2	3	4
	5	6	7	8	9	10	11
	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28	29	30	31	
FEBRUARY							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	17	18	19	20	21	22
	23	24	25	26	27	28	
MARCH							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	17	18	19	20	21	22
	23	24	25	26	27	28	29
	30	31					
APRIL			1	2	3	4	5
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	21	22	23	24	25	26
	27	28	29	30			
MAY					1	2	3
	4	5	6	7	8	9	10
	11	12	13	14	15	16	17
	18	19	20	21	22	23	24
	25	26	27	28	29	30	31
JUNE	1	2	3	4	5	6	7
	8	9	10	11	12	13	14
	15	16	17	18	19	20	21
	22	23	24	25	26	27	28
	29	30					
JULY			1	2	3	4	5
	5	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	21	22	23	24	25	26
	27	28	29	30	31		
AUGUST						1	2
	3	4	5	6	7	8	9
	10	11	12	13	14	15	16
	17	18	19	20	21	22	23
	24	25	26	27	28	29	30
	31						
SEPTEMBER		1	2	3	4	5	6
	7	8	9	10	11	12	13
	14	15	16	17	18	19	20
	21	22	23	24	25	26	27
	28	29	30				
OCTOBER				1	2	3	4
	5	6	7	8	9	10	11
	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28	29	30	31	
NOVEMBER							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	17	18	19	20	21	22
	23	24	25	26	27	28	29
	30						
DECEMBER		1	2	3	4	5	6
	7	8	9	10	11	12	13
	14	15	16	17	18	19	20
	21	22	23	24	25	26	27
	28	29	30	31			

FOR 1846.

JANUARY					1	2	3
	4	5	6	7	8	9	10
	11	12	13	14	15	16	17
	18	19	20	21	22	23	24
	25	26	27	28	29	30	31
FEBRUARY	1	2	3	4	5	6	7
	8	9	10	11	12	13	14
	15	16	17	18	19	20	21
	22	23	24	25	26	27	28

LAST CALL.

ALL persons indebted to the late firm of Williams & Lutterloh, by note or book account, will please make immediate payment to the subscriber.

C. LUTTERLOH.

Dec. 28, 1844. 39-3w

BRILLIANT LOTTERIES, FOR JANUARY, 1845.

J. G. Gregory & Co. Managers.

ALEXANDRIA LOTTERY,
Class 2 for 1845, to be drawn in Alexandria, D. C., on Saturday, January 11th, 1845.

GRAND CAPITALS.

$35,000, $10,000, $8,000, $5,000, $4,000, $3,120, 30 Prizes of $1,500, 50 of $500, 50 of $400, &c. &c.

Tickets $10—Halves $5—Quarters $2 50.

Certificates of packages of 26 wholes			$130 00
Ditto	ditto	26 halves	65 00
Ditto	ditto	26 quarters	32 50

ALEXANDRIA LOTTERY,
Class 3 for 1845, to be drawn in Alexandria, D. C., on Saturday, January 18, 1845.

FIFTEEN DRAWN BALLOTS.

SPLENDID SCHEME.

$30,000, $10,000, $5,000, $4,000, $3,400, $2,500, $2,000, $1,500, 10 Prizes of $1,000, 10 of $500, 10 of $200, &c. &c. &c.

Tickets $10—Halves $5—Quarters $2 50.

Certificate of a package of 25 wholes			$120 00
Ditto	ditto	25 halves	60 00
Ditto	ditto	25 quarters	30 00

MAMMOTH.

50,000 DOLLARS.

50 PRIZES OF 1000 DOLLARS!

ALEXANDRIA LOTTERY,
Class 4 for 1845, to be drawn at Alexandria, D. C., on Saturday the 25th of January, 1845.

BRILLIANT PRIZES.

1 Splendid Prize of		$50,000
1	ditto ditto	15,000
1	ditto ditto	8,000

1 Prize of 6,000, 1 of 5,000, 1 of 2,415, 50 Prizes of 1,000, 50 of 500, 50 of 400, 130 of 200, &c.

Tickets $12—Halves $6—Quarters $3—Eighths $1 50.

Certificates of a package of 26 wholes			$160 00
Ditto	ditto	26 halves	80 00
Ditto	ditto	26 quarters	40 00
Ditto	ditto	26 eighths	20 00

☞ Orders for Tickets and Shares and Certificates of Packages in the above splendid Lotteries, will receive the most prompt attention, and an official account of each drawing sent immediately after it is over to all who may order Tickets from us. Address

J. G. GREGORY & CO., *Managers*,
Washington City, D. C.

Dec. 22, 1844. 38-4dpd

COMMERCIAL RECORD.

ARRIVED, Dec. 30, Steamer W. B. Meares, with boat Curtis in tow, with Goods for C. P. Mallett, Rockfish Co., E. W. Willkings, P. P. Johnson & Co., H. Branson, J. Waddell, Jr., D. J. Mercer & Son, T. S. Lutterloh, J. D. Williams, H. Elambert, A. J. Elambert, C. T. Haigh & Son, B. Rose & Son, and G. McNeill, of this place; and sundry persons in the interior.

DEPARTED, Dec. 29, Steamer Cotton Plant, with Produce for sundry merchants.

FOR SALE.

15 TONS IRON, assorted
100 kegs White Lead, in Oil, (pure,)
20 bbls. prime St. Croix Sugar,
18 hhds. Molasses,
20 bags Laguira and Java Coffee,
10 bbls. Calcined and Ground Plaster,
50 kegs Cut Nails.

J. HUSKE & SON.

Jan. 1, 1845. 39tf

Superior Chewing Tobacco.

3 BOXES superior "Mozart" Chewing Tobacco,
3 do do Cavendish, "Barrett's" best.

JNO. M. ROSE.

Dec. 31, 1844. 39-3w

JUST received, a general assortment of LANDRETH'S GARDEN SEEDS, warranted of the growth of 1844. For sale by

S. T. HAWLEY.

January 1, 1845. 39-3w

BOOKS for NEW YEAR.

A VARIETY of ANNUALS, POEMS, CHILDREN'S BOOKS, &c., suitable for New Year Presents.

E. J. HALE.

Dec. 24.

Just Received and for Sale,

10 HALF BBLS. BOSTON CRACKERS,
10 half ditto Butter ditto.

SAML W. TILLINGHAST & CO.

Jan'y 1, 1845.

FOR SALE,

A LIKELY negro girl 20 years of age, good house servant, perfectly honest, and of excellent disposition. Apply at this Office.

Dec. 31, 1844. 39-4w

STRAYED,

FROM the Subscriber, on Christmas afternoon, a SORREL MARE, about fifteen hands high, seven or eight years old, has a right blaze on the face, and a very singular white mark on the back, between the hip bones. She has been seen about Town, but will probably make for Moore county, from whence she was brought a short time since.

D. G. MACRAE.

Dec. 31, 1844. 39-3w

STRAYED OR STOLEN,

ON the 23d of November last, a very large BAY HORSE, about 8 years old, a little inclined to sway back, wind-galled badly on both hind feet, black bushy mane and tail, in good order when he went off. He was raised in Davidson county, and is a good saddle and harness horse. Any information will be thankfully received, and a reward of five Dollars paid on his recovery.

JAMES B. HARRISS.

Philadelphus P. O., Robeson Co., Dec. 26. 3wpd

LAND FOR SALE.

THE tract of LAND on which the late Murdock Martin resided, and now belonging to his estate, in Moore county, lying on both sides of McLennon's Creek, cast four miles from the head waters of said Creek, which have their source at or near the Yadkin Road leading from the Western counties to Fayetteville, at Martin's old Store, north two miles of the great Highway from North to South, passing through Raleigh, Carthage, and Wadesboro'. Said Land is well supplied with numerous springs of the best and purest water—with a common DWELLING and Out-Houses; has on it a good Apple and Peach orchard, and is well adapted to the culture of corn, wheat, oats, and tobacco. There is about 150 acres of cleared Land on the premises, and 400 acres in all, one half or thereabouts, of good Bottom Land. There is also, a Grist Mill running on said Creek, on the Southern Border of the Land, with water power sufficient for propelling a Cotton Gin, Corn,

NEW
HARDWARE STORE,
On Person Street, opposite the Bank of Cape Fear.

THE Subscriber announces to the public in general, and to his friends and old customers in particular, that he is now opening an entire NEW

STOCK OF GOODS,

Consisting of

Hardware and Cutlery,
Saddlers' Materials,
Carriage Makers' Materials,
Carpenters' Tools,
Blacksmiths' Tools,
Paints, Oil, and Groceries.

And inasmuch as quick sales are desirable, all may calculate with perfect confidence on getting good bargains.

JAMES BAKER.

Fayetteville, April 8, 1844. 1tf

NEW
GROCERY, FRUIT & CROCKERY
STORE.

THE Subscriber has taken the Store on Hay street, directly opposite his old Stand, where he is now receiving a Stock of GOODS, consisting in part of Brown, Havana, Loaf, Crushed and Powdered SUGARS, Tea, Coffee, Pepper, Allspice, Ginger, Saleratus, Starch, Mackerel, Shad, Salmon, Pickles, Olives, Capers, Butter, Water and Soda Crackers, Cheese, Pepper Sauce, Camphor, Indigo, Cassia, Nutmegs, Citron, Mace, Sweet and Castor Oil, Chewing and Smoking Tobacco, Principe and Havana Cigars, Scotch, Maccoboy and Rappee Snuff, Sperm Candles, Powder and Shot, Epsom and Table Salts, Lamp Oil, Blacking, Vinegar, Madeira, Sherry and Sweet Malaga Wines, Almonds, Filberts and Madeira Nuts, Saltpetre, Sulphur, Alum, Herrings, Currant and Guava Jelly, Prunes, Anchovy Sauce, Sardines, Walnut Catsup, Pickled Oysters, Cloves, Cayenne Pepper, Currants, Mustard, Sugar House Molasses, and almost every article usually called for in a Grocery Store, which he will sell as low as any one in the place, for Cash, or on approved credit. Also, *CROCKERY*.

W. PRIOR.

November 9, 1844. 33tf

JACKSON JOHNSON

HAS on hand at the Wagon Yard, FOR HIRE,

HORSES AND BUGGIES.

Also,

Has a TWO-HORSE CONVEYANCE, with a view of accommodating persons wishing passage to any of the neighboring Towns. 36tf

FOR SALE,

LONDON PORTER,
Fine old Port WINE,
Fine Hyson and Black TEA.

J. HUSKE & SON.

Sept. 17, 1844. 24tf

ALMANACS.

TURNER & HUGHES', and Farmers' and Planters', for sale by

E. J. HALE.

FOR RENT.

THE DWELLING HOUSE immediately opposite William B. Wright, Esq., with the Field adjoining, commonly known as the Rectory. Apply to JOSHUA CARMON,

Agent for the Trustees.

November 19, 1844. 33tf

AGENCY
For the sale of Timber, Lumber, and Naval Stores.

HAVING located myself in Wilmington for the purpose of selling TIMBER, LUMBER, TURPENTINE, TAR, &c., I would say to the public, that nothing shall be wanting on my part to the giving of entire satisfaction. I take this opportunity of acknowledging my obligations to those who have patronized me, and hope to share a portion of the business of the public generally.

STEWART PIPKIN.

Wilmington, N. C., Feb. 24, 1844. 97-1Y

Rates lower than ever!

JACKSON HOTEL,
NEAR LIBERTY POINT,
FAYETTEVILLE, N. C.

JNO. McCASKILL.

November 3, 1843. 79tf

NOTICE TO PENSIONERS.

THE Subscriber will attend as usual to the collection of all arrears of Pension, and remit as directed. From past experience, he flatters himself he can give general satisfaction.

Printed forms furnished gratis.

ELIJAH FULLER.

Fayetteville, August 15, 1843. 40-tf

INSURANCE AGAINST FIRE.

THE Subscribers, Agents of the N. YORK CONTRIBUTIONSHIP INSURANCE COMPANY, in the City of New York, are prepared to take risks in town or in the country. Applications from the country, in writing, postage paid, will be promptly attended to.

JNO. HUSKE & SON.

March 1, 1844. 97-1Y

WANTED.

500 BUSHELS of ASHES, immediately, for which a fair price will be paid.

W. McL. McKAY.

March 5, 1844. 96-tf

MOUNTAIN BUTTER.

A FEW Firkins superior MOUNTAIN BUTTER, for sale by

COOK & HODGES.

Oct. 1, 1844. 26tf

$50 REWARD.

RANAWAY from my Plantation, near Bennettsville, Marlborough District, S. C., on the 21st of October last, my Negro Fellow FRANK. He is 35 years of age, black, about 5 feet 10 inches high, stout built, has bushy hair, but little beard, except on the lips and tip of the chin, and has a notable scar above his forehead, in the edge of his hair, an inch or two in length. He walks softly with his face up, as though he was looking for an object far off, and is apt to turn his face from you when he laughs. He is a fine field hand, and can do coarse carpenter's work or stock ploughs.

Frank is affected with Abolitionism, and it is likely that he has obtained a forged free pass, changed his name, and is passing as a free fellow.

Any person who will arrest Frank, and lodge him in any safe Jail so that I get him, or deliver him to me at my residence, shall receive the above reward.

CAMPBELL STUBBS.

July 26, 1844. 17tf

NEW GOODS.
Just received, a general assortment of Dry Goods, Gymps, Bonnets, Hats, Caps, Shoes, Cutlery, Fancy Baskets, &c. &c.

☞ Please call and buy cheap for Cash.

ISAAC DODD.

Sept. 25, 1844. 25tf

☞ The Fall Session of Mr. and Mrs. Hardin's Boarding and Day School for Young Ladies, will commence on Tuesday next the 15th inst., in the building usually known as the "five-cornered house," a short distance North of the Court House.

Board and Tuition $65 per Session, payable in advance.

Tuition for Day Scholars as heretofore, *payable* quarterly in advance.

Oct. 8, 1844. 27tf

Edwin Glover,
WATCH MAKER AND JEWELLER,
(At the old Stand of C. C. Smith.)

CONTINUES to Repair Watches and Jewelry, in the very best manner, and on the most reasonable terms. All work done by him will be warranted.

P. S.—WATCHES and JEWELRY for sale.

Fayetteville, Oct. 3, 1843. 74tf

Real Estate for Sale.

WILL be sold at Public Auction, on Monday the 6th day of January next, at 12 o'clock, M., at the Court House in the town of Fayetteville, the following parcels of Land and Lots, by a decree of the Court of Equity for the County of Cumberland, to-wit:—

280 acres of Land on the East side of Cape Fear River, near Cedar Creek, joining the lands of Jonathan Evans, J. Downing, and others.

One-sixth of one undivided half of the Land on the East side of Cape Fear River, known as the Blocker land, and joining Jonathan Evans and Henry Coster's land.

One Lot and improvements on the South side of Hay street in Fayetteville, between the lots of John MacRae and Hugh Campbell.

One Lot and improvements on the North side of Hay street, opposite the Blake lot.

One unimproved Lot joining the residence of Jonathan Jessup.

A credit of six months will be given,—the purchaser giving bond with approved security.

ARCH'D A. T. SMITH,
Clerk & Master.

Nov. 23, 1844. 34ts

5000 LBS. BACON, assorted, Hams, Shoulders and Sides, for sale by

JNO. H. & J. MARTINE,
Hay Street, near Post Office.

Nov'r 5, 1844. 31tf

SANDS'
SARSAPARILLA,
For the Removal and Permanent Cure o all Diseases arising from an Impure State of the Blood, or Habit of the System.

THIS medicine is constantly performing almost incredible cures of diseases arising from impurities of the blood and general system. It has arrested and cured numerous cases of scrofulous affections, diseases of the skin, rheumatic gout, diseased liver, painful enlargement of the knee, elbow, and wrist joints, chronic rheumatism, sore throat, chronic constitutional disorders, and various other diseases arising from impure secretions. In this preparation are strongly concentrated all the valuable medicinal properties of Sarsaparilla, on which its activity depends, compounded with other remedial agents, selected from the vegetable kingdom, the whole strength of which is extracted on an entirely new principle, which has cost many years of labor and much expense. The great object desired is now triumphantly accomplished, in the production of a remedy possessing a controlling power over supposed incurable diseases, heretofore unknown in the history of medicine.

The testimony of those who have been cured by its use, with their residences, has been published, from time to time, and were it desirable, a mass of the most overwhelming testimony could be brought forward, proving most conclusively its inestimable value, as an active and curative medicine in the above diseases. The afflicted, or those who may have given up in despair, and all who are interested, are invited to make a trial of this valuable medicine, or to call on those who have come forward and borne public testimony of its priceless value to them, and satisfy themselves individually of its power in arresting and curing disease, and of what it has performed for others.

Further proof of the efficacy and virtue of this valuable medicine in Rheumatism.

The following letter was addressed to our Agent at Savannah:

OGECHEE CROSS ROADS, Ga., August 24, 1843.

Mr. G. R. Hendrickson, Savannah:

Dear Sir—Having just recovered from a most severe chronic Rheumatism, with which I have been afflicted for many years, and having used various remedies without any success, I am now induced to write you in respect to Sands' Sarsaparilla, to which valuable medicine I owe my present enjoyment of health. Despairing of ever recovering from this distressing disease, and while laboring under the most acute agony and pain, I was persuaded to try the Sarsaparilla, so highly recommended for the cure of Rheumatism. I tried one bottle, and the little benefit derived from that one induced me to give it a fair trial, which I did by sending down to you for half a dozen bottles; and am now happy to say I find myself, for the first time in twelve years, well and able to attend to my necessary duties. I send you this through a feeling of gratitude due this excellent medicine, and a sense of obligation to my fellow beings, that those similarly afflicted may be induced to try this valuable remedy, Sands' Sarsaparilla.

Yours, with great respect,
DANIEL FOX.

The following is an extract from a letter from our Agent at Bowling Green:

BOWLING GREEN, Ky., April 5, 1844.

Messrs. Sands,—Gentlemen: The supply of Sarsaparilla on hand is nearly exhausted, and as there is a great demand for it, I do not wish to be out.—Please forward at your earliest convenience another supply of the Sarsaparilla and Sal Rheum Remedy. There have been some cures in this vicinity which I think worthy of notice. One was the cure of a man who had been bed-ridden for two years; the other of a lady whose cure was decided by the attending physicians to be impossible. The Sarsaparilla has restored her to perfect health. Indeed, it appears it restored her when she was so far gone that her friends were looking for her speedy departure to another world. Your friend,

J. I. YOUNGLOVE.

For further particulars and conclusive evidence of its superior value and efficacy, see Pamphlets, which may be obtained gratis.

Prepared and sold, wholesale and retail, by

A. B. & D. SANDS, Druggists,
79 Fulton street, N. Y.

☞ Sold by E. J. HALE, Fayetteville, N. C. Williams & Haywood, Raleigh, and T. Sandford, Wilmington.

Sold also by Druggists generally throughout the U. States. Price $1 per bottle—Six bottles for $5.

☞ The public are respectfully requested to remember that it is Sands' Sarsaparilla that has and is constantly achieving such remarkable cures of the most difficult class of diseases to which the human frame is subject, therefore ask for Sands' Sarsaparilla, and take no other.

May 16, 1844. 7tf

Blanks for sale at this Office.

NEW
CHEAP GOODS.
WILLIAM McINTYRE

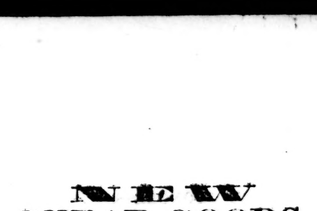
HAS received and now offers for sale at reduced rates, a new and choice assortment of

SEASONABLE GOODS,

Comprising Prints, Ginghams, Lawns, Balzorines, Muslins, Bombazines, Alpaca, Lustring, black Italian and light colored Silks, Gymps, Silk Fringe, Cotton and Thread Edgings and Laces, Cassimeres, Summer Cloths, Vesting, fine white Flannel, Bleached Shirting, Irish Linen, Black Lasting, Pantaloons Stuff, Cravats, Hosiery, Gloves, Ribbons, Sewing Silks, Spool Cotton, Patent Thread, Bed Ticks, Padding, Buckram, Canvass, Buttons, Diapers, Burlaps, Bear Duck, Osnaburgs, Cotton and Silk Handkerchiefs, in all their various styles.

Also, Ladies' Umbrellas, Sun Shades, Parasols, Scotch Gingham Umbrellas, Bonnets, Hats, Shoes and Boots, Hardware, Carpenters' Locks, Files, Chisels, Augers, Lathing and Chopping Hatchets, Coopers' Axes, Drawing Knives, Hand Saws, Reap Hooks, Scythe Blades, Straw Knives, Knives and Forks, Pen and Pocket Knives, Scissors, Sheep Shears, Trace Chains, Weeding Hoes, Rowland's Mill Saws, Wagon Screws, Whittemore's Cotton and Wool Cards, Collins' Cast Steel Axes, Bar Iron, Cast Steel, Corn Shellers, Ploughs and Plough Castings, Hollow Ware, Pots, Ovens, Skillets, Kettles and Spiders, Crockery and Glass Ware, Groceries, Spices, Teas, Sugar, Molasses, Coffee, Salt, Mess and prime Pork, Principe Cigars, &c.

May 8, 1844. 6tf



NEW CARRIAGE REPOSITORY.

THE Subscribers take this method of informing the public, that they have commenced the Carriage Manufacturing Business, and intend to carry it on in all its various branches, say COACHES, COACHEES, CHARIOTEES, BAROUCHES, BUGGIES, GIGS and SULKEYS, of the most modern and approved styles. With several years' experience by one of the Principals, in one of the largest Manufactories in the Northern States, they feel no hesitation in saying, that nothing shall be wanting to make their Work equal to any put up here or elsewhere. They hope that by unremitted attention to business, to merit a generous share of public patronage. They assure the public that no pains have or will be spared to procure the best materials the surgounding country affords. They have completed and in progress of completion, several Vehicles of the latest fashions, which they offer at prices in conformity with the present pressure of the times.

☞ All Work warranted for 12 months.

Their Establishment is at the foot of the hill, opposite Liberty Point.

SIMPSON & McLAUCHLIN.

Fayetteville, May 1, 1844. 5tf

☞ Repairing done at the shortest notice, in the neatest manner, and at the lowest prices.

A Valuable Medicine.

THE BEST OF PILLS.
25 IN A BOX.

DR. BRANDRETH'S VEGETABLE PILLS have proved themselves an effectual assistant of nature, having cured in the United States at least one hundred thousand persons of diseases which had been pronounced incurable by medical men of the first rank and standing.

These Pills, from the peculiar properties they possess, are calculated to cure disease, whatever be its name, all having the same origin, in any person in whom is the universal "breath of life," who partakes of the "universal" "one blood," of which are made all people who dwell upon the earth, and whose disorder arises from the "universal root" of all disease, namely, impurity or imperfect circulation of the blood. Those who are suffering from a bad state of health, will do well to give them a trial.

☞ This valuable Medicine is for sale in Fayetteville by the only authorized Agent,

MICHAEL McGARY.

July 15, 1844. 15-1Y

PETERS' PILLS.
A Public Blessing.

THESE PILLS have long been known and appreciated for their extraordinary and immediate powers of restoring perfect health to persons suffering under nearly every kind of disease to which the human frame is liable.

They are particularly recommended to all those persons who are afflicted with any kind of chronic or lingering complaint, as there is no medicine before the public which has so natural and happy an effect upon the system in correcting the stomach and liver and to the formation of healthy chyle, and thereby purifying the blood.

They are acknowledged by the hundreds and thousands who are using them to be not only the most mild and pleasant in their operation, but the most perfectly innocent, safe and efficient medicine ever offered to the public. Those who once make a trial of these Pills never afterward feel willing to be without them, which is sufficient proof of their good qualities.

HEADACHE—SICK AND NERVOUS.

Those who have suffered and are weary of suffering with this distressing complaint, will find Peters' Vegetable Pills a remedy at once certain and immediate in its effects. One single dose of the Pills, taken as soon as the headache is felt coming, will cure it in an hour entirely.

As a remedy in summer and bowel complaint, they display their wonderful powers to admiration, and are far superior to any thing in use for those complaints.

In Dyspepsia and Liver complaint they stand unrivalled.

Many have been cured in a few weeks after having suffered under the dreadful complaint for years.

In habitual costiveness they are decidedly superior to any Vegetable Pill ever brought before the public, and one 50 cent box will establish their surprising virtues and place them beyond the reach of doubt in the estimation of every individual.

They are invaluable in nervous and hypocondriacal affections, loss of appetitite, and all complaints to which females alone are subject.

They are mild in their action and convey almost immediate conviction of their utility from the first dose. They may be taken by persons of any age, and the feeble, the infirm, the nervous and delicate, are strengthened by their operation, because they clear the system of bad humors, quiet nervous irritability, and invariably produce sound health.

Upwards of three hundred and seventy thousand boxes of these inestimable pills have been sold within 12 months in three States alone, and more than three times the same quantity in other States.

As an anti-bilious medicine no family should be without them. A single trial of them is more satisfactory than a thousand certificates.

Price 50 cents per box with full directions.

☞ Be careful and inquire for Peters' Vegetable Pills.

☞ For sale at the Fayetteville Book Store. Also, Peters's Worm, Cough, and Cordial LOZENGES. *July* 15, 1844.—15tf

Call at the WAGON YARD!

THE Subscriber is now receiving from New York, a general and complete assortment of

Hats, Boots and Shoes,
HARDWARE & CUTLERY,
Crockery and Groceries,

Of every quality and description, for sale very low for Cash, or in exchange for any kind of Country Produce.

THO. J. MIMS.

ALSO, Henry Clay and Polk RAZORS, a splendid article.

December 2, 1844. 35tf

H. LEETE,
North West corner of Market Square,

IS now receiving from the latest importations, a general assortment of fashionable

Dry Goods, Groceries,
Hardware, Crockery, Hats, Shoes and Bonnets,

Which he is disposed to sell on the most *reasonable* terms. His Stock consists in part of

Blue, black, invisible green, and mixed Cloths; Beaver and Pilot Cloths; Giraffe ditto; blue, black, and fancy Cassimeres; Kentucky Jeans; plain and ribbed Sattinets; Vestings; Kerseys; Linseys; Alpacas; black Poplin; Bombazines; Taylerna; Luretts; China striped Chusan; emb'd ditto; Cashmere-de-Ecosse; a beautiful assortment plain, blue, black, satin striped and fancy Muslin-de-Lains; plain and satin striped blue-black Silks; colored ditto, some very handsome; Prints; Curtain Calico; Gala Plaid; Green Barage; fig'd black Lace; white ditto; Paris Cord; Bonnet Tabs; inside and outside Artificial Flowers; black and fancy Elastic Mitts; Worsted ditto; Gentlemen's and Ladies' Gloves; black Italian Cravats; Gentlemen's fancy and col'd Scarfs; Plush Points; Bombazine and Satin Stocks; Linen Collars and Bosoms; Ribbons; Highland Shawls; shaded Nett ditto; large black Muslin-de-Lain ditto; large Brocha ditto; Cotton Diaper; Linen Table Cloths; Blankets; Gentlemen's Merino Shirts and Drawers; Ladies' ditto; bleached and unbleached Shirtings; Coat Trimmings of the best quality; Cambric and Silk Handkerchiefs; Cyprus, Silk, Velvet, Bombazine, Straw, and Florence Bonnets; Albert and Shell Tunic ditto, some very fine; Paint, Hair and Clothes Brushes; Brooms and Hearth Brushes; Umbrellas, &c. &c.

A general assortment of GROCERIES.—Rio, Laguira and Java Coffee; Porto Rico and St. Croix Sugars, Loaf ditto; Saltpetre; Alum, Powder, Shot and Lead; Indigo and Madder; Candles; Cheese; Superior Tea, &c.

HARDWARE.—Iron; American and English Blistered Steel; Cast Steel; Cutlery; Locks; Spoons; Drawing Knives; Shovels; Spades; Collins' Chopping and Broad Axes; Blacksmith's Tools, &c.

CROCKERY.—Common and fine Crockery; Queensware; elegant sets of China; cut, pressed and common Tumblers; Wine Glasses; Preserve Plates; Castors, &c.

HATS.—Wool and fashionable Fur Hats.

A good assortment of HOLLOW-WARE.

Cotton Bagging and Rope; Twine; pure, extra, No. 1 and No. 2 White Lead, in Oil; Red Lead; Verdigris; Linseed Oil; Tanners' ditto; besides many articles not enumerated. Purchasers will please call and examine.

November 18, 1844. 33tf

FOR SALE.

75 KEGS PURE WHITE LEAD,
25 ditto Extra Pure ditto.

JNO. HUSKE & SON.

May 15, 1844. 6tf

GRAYSON BUTTER!
Better than the last.

RECEIVED on Saturday last, 15 firkins prime GRAYSON BUTTER.

—ALSO—

1000 lbs. white LARD. For sale by

JONES & DUNN,
Foot of Haymount.

Oct. 15, 1844. 28tf

MARBLE FACTORY,

BY JAMES FOSTER.

Fayetteville, June 18, 1843. 59-tf

FIRE INSURANCE.
The Augusta Insurance and Banking Company

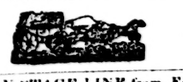
ARE prepared to take risks against Fire in any of the Towns of North Carolina, and on Dwellings in the country, at rates as favorable as any good Company.

Correct descriptions of the Property, accompanying the applications, and certified by persons known to the Agents, will, when post paid, meet with prompt attention.

E. L. & W. WINSLOW, Agents,
Fayetteville, N. C.

October 3, 1843. 74-1Y

TRI-WEEKLY STAGE LINE
From Fayetteville to Warsaw.



THE DAILY STAGE LINE from Fayetteville to Warsaw, having been reduced to a tri-weekly line, the Stages will leave Fayetteville and Warsaw as follows:—

Leave Fayetteville on Sundays, Tuesdays and Thursdays, at 4 o'clock, P. M.;—leave Warsaw on Mondays, Wednesdays, and Fridays.

This route has had a fair trial, and is the best, both North and South, that is now running from Fayetteville.

BLOCKER & LOVE, *Proprietors.*

February 10, 1842. 44-tf

FIRE INSURANCE.
GEORGIA INSURANCE AND TRUST COMPANY.
Capital, One Million of Dollars.

THE above Company will take risks on Goods or Buildings, in any part of North Carolina, at as low rates of premium as any other good Company. They will also take risks on Goods shipped to any part of the United States.

STARK & PEARCE, *Agents.*

Fayetteville, Dec. 5, 1843. 77-tf

GUN-SMITH ESTABLISHMENT,
(Next door to C. J. Orrell and J. H. & J. Martine.)

THE Subscriber has taken this stand to open his Shop, where he intends carrying on the GUNSMITH BUSINESS in all its branches. He will also furnish Rifle Guns suitable for the times, and will warrant them to be good. He will mend and repair Gun Locks and Pistols, and put Locks on doors of all kinds; mend Umbrellas, Walking Canes and Pocket Knives.

N. B. The country people can be accommodated by bringing their Guns to market with them; they can have them ready to carry back with them.

E. A. HARPER.

January 13, 1844. 89tf

NEW GOODS.

THE undersigned have received by the late arrivals, a more extensive STOCK OF GOODS than formerly, comprising such a variety as to suit the country trade.

5000 BUSHELS ALUM SALT,
2000 sacks Liverpool do.
25 hhds. St. Croix and P. R. Sugar,
250 bags Rio, Laguira, and St. Domingo Coffee,
20 bbls. and boxes Loaf & Crushed Sugar,
20 qr. casks Madeira and Malaga Wines,
150 kegs Nails,
10 tons assorted Swedes Iron,
3 do. do. Castings,
100 kegs White Lead,
100 bags Shot,
3000 lbs. Bar Lead,
50 kegs Dupont's Powder,
50 pieces Cotton Bagging,
50 coils Rope,
5 boxes Pine Apple Cheese,
50 boxes Fayetteville Candles,
15 doz Windsor and Cane bottom Chairs,
100 sides Sole Leather,
25 cases Shoes,
25 do. Fur and Wool Hats,
15 do. Whittemore's Cotton Cards,
20 bbls. green Copperas,
5 casks London Porter,
20 boxes Candy,
150 reams Cap, Letter, & Wrapping Paper,

Pepper, Spice, Ginger, Indigo, Madder, Alum, Salts, Starch, Castor and Olive Oil, Spanish Brown, Collins' Axes, Weeding Hoes, Spades, German and blistered Steel, a general assortment of DRUGS AND DYE STUFFS.

ALSO, a general assortment of Fancy and Staple

DRY GOODS,

Hardware, Cutlery, & Ready made Clothing,

Viz: Frock and Dress Coats, Sacks and Overcoats.

600 yards Ingrain CARPETING, very cheap.

☞ The above Goods will be sold at a small advance for Cash, or on time to punctual customers.

SAM'L W. TILLINGHAST & CO.

Sept. 24, 1844. 25tf

MANTUA-MAKING AND MILLINERY.
MRS. E. WALTON

BEGS leave to say to her friends and the public, that she is prepared to execute orders for all kinds of Dress making and Millinery; and having visited New York the past Summer, she has made arrangements for receiving the Fashions from New York, quarterly.

Mrs. W. will carry on the Millinery and Mantua-Making at her residence on Hay Street, second door East of the Post Office.

Gentlemen's Straw and Leghorn Hats cleansed and pressed.

Fayetteville, Oct. 22, 1844. 29-3m

Encourage Home Manufactures.

GARDNER & McKETHAN,
CARRIAGE MAKERS,

HAVE now on hand and for sale a much larger Stock of Work than usual, consisting of

Carriages, Barouches, Buggies, Sulkeys, Wagons, &c.

Persons wishing to buy, would do well to call and examine their Work and prices, which have been reduced to suit the times.

We warrant our work, as usual, for one year.

☞ Repairing neatly executed at short notice and at reduced prices.

FAYETTEVILLE, June 25, 1844.

$50 REWARD.

RANAWAY on the 24th of July last, a bright mulatto girl named MARTHA, or MARTHA ANN; about 19 years old, though she looks older.—She is fleshy, will weigh near 140 pounds; may be known by her left eye, which she keeps half shut most of the time, and it looks a little swollen, owing to a deformity of the upper lid; and in walking, turns her toes in, commonly called pigeon-toed. She has a large head of hair, long and very black, a little kinky, which she wears tucked up with a comb, and mostly keeps her head covered with a sun bonnet or handkerchief. Can easily pass for a white woman, as she is very white. She has a good supply of clothes and some money, and may have obtained a free pass, or forged one of some kind. Can be detected by her eye and walk very easy. I purchased her of Henry M. Goodwin, some 12 or 14 miles from Pittsborough, in Chatham county, N. C. I have no doubt but she is in the neighborhood of Mr. Goodwin, as her father is owned by a Mr. Perry, who lives, I understand, in that neighborhood. I will pay $20 for her confinement so that I get her, or $30, *delivered* to me in Wadesborough, or $50 for her, and evidence sufficient to convict any person of harboring her or assisting her in any way to make her escape.

B. B. HORTON.

Wadesborough, Oct. 18, 1844. 29tf

DOMESTIC GOODS.

HALL & JOHNSON

ARE manufacturing at their Beaver Creek Mill—
Heavy 3-4 brown Cotton Shirtings,
" 30 in. do do ditto,
" 4-4 do do Sheetings,
" 32 inch Flax and Cotton, for men's wear,
" 39 inch do do, do do,
Cotton Yarns, No. 5 to 15, Plough Lines, Seine and Wrapping Twine, Cotton Bats.

Purchasers are invited to call and examine these Goods before purchasing elsewhere.

Fayetteville, July 17, 1844. 15tf

PRINT WAREHOUSE
IN NEW YORK,

To supply the City and Interior Trade, by the Piece or Package,

REMOVED
From 113 Pearl Street to
44 CEDAR STREET,
NEAR WILLIAM STREET.

LEE & BREWSTER give notice to the Dealers in Dry Goods, that they have removed their Warehouse for Printed Calicoes, Exclusively, from Pearl, to 44 Cedar street. By confining their attention to Prints only, L. & B. are enabled to exhibit an assortment far surpassing any ever before offered in America—and to sell at prices as low and Generally Lower than houses whose attention is divided among a large variety of articles.

The Stock consists of *several thousands of Patterns and Colorings,* embracing every variety of

American and Foreign Prints

In market—many styles of which are got up exclusively for their own sales, and cannot be had elsewhere, except in second hands.

Dealers in Prints will find it for their interest to examine this Stock before making their purchases—they will have the advantage of learning the lowest market prices—and comparing all the desirable styles in market side by side.

Catalogues of Prices, corrected with every variation of the Market, are placed in the hands of buyers.

Sept. 20, 1844. 25-1Yipd

Beckwith's Pills.

A FRESH SUPPLY just received.

E. J. HALE.

Oct. 1, 1844.

HAT, CAP, & SHOE STORE.

NEW FALL & WINTER GOODS.

THE Subscriber would inform his friends and public, that he has received his FALL AND WINTER STOCK OF

HATS AND CAPS,

Of all sorts and sizes, to suit the pressure of the times, from the splendid Mole-skin to the common Coney. Also, a superior article of South Sea Otter Caps, with a large assortment of Cloth, Velvet, Plush, Seal and Musk Caps. All which will be offered to the public low for Cash.

ALSO,

A good assortment of BOOTS and SHOES.

The public are invited to call and examine my Stock before supplying themselves elsewhere, for I am determined to sell cheap for Cash, and for Cash only. Thankful for past favors, I hope to merit a continuance of the same by promptness and strict attention to business. ☞ *Don't forget the place, the South West corner of the Market Square.*

N. B. The business hereafter will be continued by Jno. C. Thomson. All persons indebted to the late firm of Jno. C. Thomson & Co., will please settle the same without delay; also, those having any claims will present the same.

JNO. C. THOMSON.

October 24, 1844. 30tf

D. McLAURIN,
IN ADDITION TO A GENERAL ASSORTMENT OF

GROCERIES & HARDWARE

Cutlery, Shoes, Hats, &c.,

Has on hand a choice selection of seasonable

DRY GOODS

VIZ: Fine blue, black, invisible green, and fancy mixed Cloths; fancy Cassimeres; Sattinets; Kentucky Jeans; Kerseys; Blankets; Alpacas; Muslin-de-Laines; Worsted Shawls; Bed Ticking; Shirting; and a variety of Prints, Vestings, Coat Trimmings, &c.

ALSO,

Fourth proof Jamaica RUM,
Ditto ditto Cognac BRANDY,
Holland GIN,
Fine Madeira and Port WINE,
Sicily Madeira, Teneriffe, and Malaga ditto.

The above Goods will be sold low for Cash, Country Produce, or charged to those who have heretofore been punctual.

D. McL.

Oct. 28, 1844. 30tf

The Subscribers have now in Store

3000 LBS. BACON, (Hams, Shoulders and Sides,)
500 lbs. Lard,
50 bbls. Flour,
10 ditto No. 2 Mackerel,
25 ditto Whiskey,
25 ditto Brandy,
10 doz. Bottled Porter,
20 boxes Spanish Cigars,
20 bundles Hay.

They have also on hand, a large and superior

Stock of GROCERIES,

Among which are Coffee, Loaf and Brown Sugar, Alum and Liverpool Salt, Molasses, fine and common Chewing Tobacco, Smoking ditto; and a variety of other articles. All of which they will sell for Cash, or exchange for Country Produce.

COOK & HODGES, Hay street.

May 21, 1844. 7tf

New Forwarding and Commission House.

HALL & HALL

WOULD inform the merchants of the interior that they have in connection with the grocery business, added that of the Forwarding, having large and commodious Ware-houses on the bank of the River, are prepared to receive and forward Goods upon such terms as will defy all competition, our charges and expenses being one-third less than freight bills than any other house in the place.

All Goods shipped to G. W. Davis of Wilmington, for the interior, and not otherwise directed, will be found in our possession.

May 24, 1844. 8-tf

DRUGS & MEDICINES.
TO PHYSICIANS.

THE following FRESH and GENUINE MEDICINES, &c. &c., viz:—

Quinine,	Castile Soap,
Opium,	London Mustard,
Camphor,	Mustard Seed,
Tart. Emetic,	Jamaica Ginger,
Cantharides,	Gum Assafœtida,
Bals. Copaiva,	Sugar of Lead,
Calomel,	Isinglass,
Pulv. Bark,	Blister Plaster,
Indigo,	Blue Vitriol,
Quicksilver,	Saleratus,
G. Myrrh,	Castor Oil,
Sarsaparilla,	Epsom Salts,
Elix. Vitriol,	Glauber Salts,
Ether,	Gum Arabic,
Tapioca,	Sulphate Potash,
Uva Ursi,	Liquorice Root,
Cayenne Pepper,	Quicksilver,
Camomile,	Alcohol,
James' Powder,	Seidlitz Powders,
Dover's Powder,	Sweet Oil,
Tamarinds,	Cubebs,
Carb. Ammon.,	White Wax,
Evans' Lancets,	Henry's Magnesia,
Spring Lancets,	Carb. Magnesia,
Sup. Carb. Soda,	Nux Vomica,
Tinc. Iron,	Starch,
Bals. Capsules,	Glue,
Gum Gamboge,	Mace,
Cinnamon, Nutmegs, Turmeric, Cloves, Ginger.	

For sale by

S. J. HINSDALE, *Druggist.*

Oct. 12, 1844. 28tf

FOR SALE,

LONDON PORTER,
Madeira and fine old Port WINE,
Common Wines,
Fine Hyson Tea,
6 barrels Calcined Plaster.

J. HUSKE & SON.

September 1, 1843. 70tf

F. T. WARD,

WOULD respectfully inform the citizens of Fayetteville and the public generally, that he has taken the Stand recently occupied by E. J. Hale, on Gillespie street, 5 doors South of the Market Square, where he will manufacture and keep constantly on hand an assortment of

Tin and Sheet Iron Ware,

Persons wishing to purchase would do well to call and examine his Stock before purchasing elsewhere, as he is determined to sell as cheap as any other manufacturer in the State.

Tin Baking Apparatus, of a entirely new pattern.

January 28, 1843. 39-1Y

COTTON YARNS.

C. P. MALLETT offers a superior article COTTON YARNS, assorted, from No. 5 to 10, at wholesale, at 14 cents, cash.

October 1, 1843. 42tf